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Journal
Of The Senate of Arkansas
Twenty First Session
Little Rock Ark January 8th 1877

In pursuance to the provisions of the Constitution of the State of Arkansas, the Members of the Senate thereof met at the Senate Chamber in the City of Little Rock, on the day above mentioned at Twelve M.

The Senate was called to order by Senator Sims

On Motion Hon K. D. Pindall of Desha was called to the chair as Temporary President

Mr Thomas W. Newton, former Secretary, having been requested to act as temporary Secretary, thereupon proceeded to call the Roll, as furnished by the Secretary of State, the following named members answering as called. viz:

Crutched, Bunch, Campbell, Chism, Crowley, Duffie, East, Ferguson, Harris, Haycock, Hicks, Howe, Johnson, Jones, Judkins, Kerr, Muckey, Pennington, Pindall, Reagan, Sims, Stauffer, Sullivan, Dipton, Doby, Throver, Williams, Wilson

The following Senators were found to be absent: viz;

Blackwell, Hampton: and Norman.

On Motion of Senator Haycock, it was ordered by the Senate that the Members of the Press be admitted to seats on the floor.

On Motion of Senator East it was ordered by the Senate that the former Members of the Senate be also admitted to seats on the floor.

The following list of newly elected Senators duly attested by the Secretary of State was then read viz:

Office of Secretary of State, Arkansas
Little Rock January 8th 1877
To the Senate of the State of Arkansas

I herewith send a list of Senators, elected on the 4th day of September 1876, as provided for in Section 63, of an Act of the General Assembly approved January 23^d 1875: To wit:

No of District	Counties	Names of Senators.
First	Green Craighead	J. H. Crowley
Second	Clay Randolph Lawrence	Joseph B. Jenkins
Fifth	Sharp Washington	A. M. Wilson
Eighth	Yell	B. B. Chism
Tenth	Logan Saline Garland Hot Spring	A. A. Pennington
Eleventh	Grant	George Haycock
Thirteenth	Jefferson Monroe	A. H. Bergeson
Fourteenth	Arkansas Phillips	A. L. Stanford
Sixteenth	Lea Lincoln	M. M. Duffie
Eighteenth	Dorsey Dallas Bradley Union	John R. Hampton
Twenty second	Little River Sevier Howard Polk	M. J. Mulkey
Twenty third	Pulton Izard Marion	H. C. Dipton
Twenty fifth	Baxter Craigford	H. B. Armistead
Twenty eighth	Franklin Sebastian Scott	R. D. Kerr
Twenty ninth	Poinsett Jackson Mississippi	Bury Harris

At a Special Election held September 4th 1876 in the Ninth Senatorial District, composed of the Counties of Pulaski and Perry Samuel W. Williams was,

elect to fill the vacancy occasioned by the death of J. M. Loughborough.

I. B. B. Beavers Secretary of State of Arkansas, do hereby certify that the foregoing is a correct list of the Members of the Senate elected on the 4th day of September 1876, for the term prescribed by Law, as appears by the returns in my office.

Seal

In Testimony whereof I have hereunto set my hand and affixed my official Seal, at Little Rock, on the 8th day of January A. D. 1877.

I. B. B. Beavers
Secretary of State

The Roll of newly elected Senators as above was then called by Districts and the following Members being present, came forward and qualified according to law: by taking & subscribing to the required Oath.
B. H. Crowley, Joseph B. Judkins, A. M. Wilson
B. B. Chism, A. A. Cunningham, George Haycock
A. H. Ferguson, A. L. Stanford, M. M. Duffie
M. J. Mulkey, H. C. Dipton, Benj. Harris, H. B. Armistead, and R. D. Kerr, ^{and} S. M. Williams.

absent John R. Hampton.

The Roll was then again called and the following qualified Members found to be present: viz:
Armistead, Branch, Campbell, Chism, Crowley, Duffie
East, Ferguson, Harris, Haycock, Hicks, House, Johnson
Jones, Judkins, Kerr, Mulkey, Cunningham, Pindall
Regan, Sims, Stanford, Sullivan, Dipton, Tobey
Thomer, Williams, Wilson = 28
absent Blackwell Hampton Norman = 3.

A Quorum being present it was then announced by the President that Nominations for President of the Senate were in order, whereupon Senator Sims, nominated Hon. James H. Jones of Hempstead County, and Senator Campbell nominated Hon. Bradley Branch of Carroll County.

The Roll being called the following Senators voted for Senator Jones: viz:
Branch, Duffie, East, Haycock, Hicks, Johnson,
Judkins, Kerr, Mulkey, Cunningham, Pindall, Sims.

Stanford, Sullivan, Dipton, Thromer = 16.

and the following Senators voted for Bradley Brunch
viz: Armistead, Campbell, Chism, Crowley, Ferguson,
Harris, House, Jones, Reagan, Tobey, Williams Wilson
= 12. The following Senators were absent: viz Blackwell & Norman = 2.

Senator Jones having received a majority of all the
votes cast was thereupon declared President of the
Senate.

On Motion James Brunch Senators Brunch and
Sims were appointed a Committee to conduct the Presi-
dent-elect to the Chair, which duty being performed,
President Jones, after returning thanks to the Senate, took
the Oath of Office, administered by Hon W. M. Harrison
Judge of the Supreme Court and entered upon his
duties.

Nominations for Secretary of the Senate being in
order Senator Keen nominated J. L. Cravens
and Senator Hicks nominated Jacob Foolich
and Senator Pindall nominated C. H. Wood

The Roll being called the following Senators
voted for Jacob Foolich: viz
Crowley, Duffie, East, Harris, Hicks, House,
Johnson, Judkins, Sims, Sullivan, Dipton, Tobey,
Mr President = 13.

and the following Senators voted for J. L. Cravens
viz Brunch, Campbell, Chism, Haycock, Keen, Mulkey,
Punington, Stanford, Williams, Wilson = 10.

and the following Senators voted for C. H. Wood: viz
Armistead, Ferguson, Pindall, Reagan, Thromer
The following Senators were absent: viz Blackwell and Norman = 2

No Election being had the Senate then proceeded
to ballot second time, when the following Senators
voted for Jacob Foolich: viz

Crowley, Duffie, East, Harris, Hicks, House, Johnson,
Judkins, Sims, Sullivan, Dipton, Tobey & Mr President = 13

and the following Senators voted for J. L. Cravens: viz
Brunch, Campbell, Chism, Haycock, Keen, Mulkey,
Punington, Stanford, Williams, Wilson = 10

and the following Senators for C. H. Wood: viz
Armistead, Ferguson, Pindall, Reagan and Thromer = 5

The following Senators were absent: viz Blackwell & Norman = 2

No Election being had the Senate thereupon pro-
ceeded to ballot the third time, when the following
Senators voted for Jacob Foolich: viz

Crowley, Duffie, East, Harris, Hicks, House, Johnson

Juddkins, Sullivan, Dipton, Tobey & Mr President = 14.
 And the following Senators voted for J. L. Cravens: viz:
 Brunch, Campbell, Chism, Haycock, Kerr, Mulkey,
 Pennington, Sims, Stanford, Thrown, Williams, Wilson = 12
 and the following Senators voted for C. H. Wood: viz
 Armistead, Ferguson, Pindall, Reagan = 4.

The following Senators were absent: viz Blackwell & Norman = 2.

No Election being had, the Senate thereupon
 proceeded to ballote the fourth time, when the
 following Senators voted for Jacob Frolich: viz:
 Crowley, Duffie, East, Harris, Hicks, Honey,
 Johnson, Juddkins, Sullivan, Dipton, Tobey and
 Mr President = 12.

And the following Senators voted for J. L. Cravens
 viz: Brunch, Campbell, Chism, Haycock, Kerr,
 Mulkey, Pennington, Stanford, Thrown, Williams
 Wilson = 11.

and the following Senators voted for C. H. Wood: viz
 Armistead, Ferguson, Pindall, Reagan Sims = 5

The following Senators were absent: viz Blackwell & Norman = 2.

There still being no choice, the Senate proceeded
 to ballote the Fifth time, and the following Senators
 voted for Jacob Frolich: viz:

Crowley, Duffie, East, Harris, Hicks, Honey, Johnson,
 Juddkins, Sullivan, Dipton, Tobey & Mr President = 12.

And the following Senators voted for J. L. Cravens: viz
 Brunch, Campbell, Chism, Haycock, Kerr, Mulkey,
 Pennington, Sims, Stanford, Thrown, Williams, Wilson
 = 12 =

and the following Senators voted for C. H. Wood: viz
 Armistead, Ferguson, Pindall & Reagan = 4 -

The following Senators were absent: viz Blackwell & Norman = 2.

No Election resulting, the Senate proceeded to ballote
 the Sixth time; when the following Senators voted for
 Jacob Frolich: viz
 Crowley, Duffie, East, Harris, Hicks, Honey, Johnson,
 Juddkins, Sims, Sullivan, Dipton, Tobey & Mr President = 13

and the following Senators voted for J. L. Cravens: viz
 Brunch, Campbell, Chism, Haycock, Kerr, Mulkey,
 Pennington, Stanford, Thrown, Williams, Wilson = 11

and the following Senators voted for C. H. Wood: viz
 Armistead, Ferguson, Pindall, Reagan = 4.

The following Senators were absent: viz Blackwell and Norman = 2.

No Election being had, the Senate proceeded to ballot the Seventh time, and the following Senators voted for Jacob Poolick: viz:
Crowley, Duffie, East, Harris, Hicks, Home,
Johnson, Judkins, Punnington Sullivan, Dipton
Robery & Mr President = 13.

and the following Senators voted for J. L. Cravens: viz
Brunch, Campbell, Chism, Haycock, Keer, Mulkey
Sims, Stanford, Throner, Williams Wilson = 11-

and the following Senators voted for C. H. Wood: viz
Armistead, Ferguson, Pindall Reagan = 4.

The following Senators were absent: viz Blackwell & Norman = 2.

No election being had the Senate proceeded to ballot the Eighth time, and the following Senators voted for Jacob Poolick: viz:
Crowley Duffie East, Harris Hicks Home
Johnson Judkins, Punnington Sims, Sullivan
Dipton, Robery & Mr President = 14.

and the following Senators voted for J. L. Cravens
Brunch, Campbell, Chism, Haycock, Keer,
Mulkey, Stanford Throner Williams Wilson = 10

and the following Senators voted for C. H. Wood: viz
Ferguson, Pindall Reagan = 3.

The following Senators were absent: viz Blackwell and Norman = 2.

No Election being had and Senator Pindall having withdrawn the name of C. H. Wood, the Senate proceeded to ballot the Ninth time, where upon the following Senators voted for Jacob Poolick: viz
Crowley, Duffie East, Ferguson, Harris, Hicks, Home
Johnson Judkins, Punnington Reagan, Sims, Sullivan
Dipton Robery & Mr President = 16.

and the following Senators voted for J. L. Cravens: viz
Armistead Brunch, Campbell, Chism, Haycock, Keer
Mulkey, Pindall Stanford Throner, Williams Wilson = 12

The following Senators were absent: viz Blackwell & Norman = 2.

Mr Poolick having received a majority of all the votes cast was by the President declared duly elected Secretary of the Senate.

On Motion of Senator East the Senate then proceeded to the election of an Assistant Secretary. Nominations for the same being in order

Senator East Nominated C. H. Wood
 Senator Foley Nominated George W. Berryman
 Senator Sullivan Nominated W. S. Pope
 Senator Duffie Nominated W. A. Lee
 Senator Campbell Nominated William P. Field
 Senator Judkins Nominated C. C. Reid.

No farther nominations being made, the Senate
 proceeded with the first ballot, and the following
 Senators voted for C. H. Wood: viz:
 Amistead, Brunch, Chism, East, Haycock, Hicks
 Johnson, Pindall, Reagan, Sims, Stanford = 11.

and the following Senators voted for George W. Berryman:
 Campbell, Ferguson, Kerr, Nipton, Poley = 5.

and the following Senators voted for W. S. Pope: viz:
 House and Sullivan - 2.

and the following Senators voted for W. A. Lee: viz:
 Duffie, Judkins, Punnington = 3.

and the following Senators voted for Wm P. Field: viz:
 Crowley, Harris, Mulkey, Williams, Wilson = 5.

The following Senators were absent: viz Blackwell, Norman & Thrown = 3.
 No Election being had, the Senate then proceeded to
 ballot the second time, when the following Senators voted
 for C. H. Wood: viz:
 Amistead, Brunch, Chism, East, Ferguson, Haycock,
 Hicks, Johnson, Pindall, Reagan, Sims, Stanford, and
 Mr President = 13.

and the following Senators voted for George W. Berryman:
 Nipton and Poley = 2.

and the following Senators voted for W. S. Pope: viz:
 House and Sullivan = 2.

and the following Senators voted for W. A. Lee: viz:
 Duffie and Punnington = 2.

and the following Senators voted for Wm P. Field: viz:
 Campbell, Crowley, Harris, Judkins, Kerr, Mulkey,
 Williams, Wilson, = 8.

The following Senators were absent: viz: Blackwell, Norman & Thrown = 3.

No Election being had the Senate proceeded to ballot
 the third time and the following Senators voted for

and the following Senators voted Thos. C. Scott: viz:
Haycock, Johnson, Pennington, Pindall, Sullivan
Thrower, Williams, & Mr President = 8.

and the following Senators voted for S. O. Cloud: viz
East and Harris = 2.

Senator Ferguson was excused from voting at his own request.

Senator East requested permission to change his vote from Cloud to Scott which was granted and Senator Mulkey requested permission to change his vote from Elzy to Scott which was granted

absent Blackwell & Norman = 2.

No Election being had the Senate proceeded to ballot the second time and the following Senators voted for James H. Love viz
Campbell, Crowley, Harris, Judkins, Stanford
Dipton, Doby, Wilson = 8.

and the following Senators voted for F. M. Elzy
Armistead, Bruch, Chism, Duffie, Kerr, Reagan & b.

and the following Senators voted for B. B. Alluviz
Hicks = 1.

and the following Senators voted Thos C. Scott: viz
East, Haycock, House, Johnson, Mulkey, Pennington
Pindall, Sims, Sullivan, Thrower, Williams and
Mr President = 12.

Excused Senator Ferguson - 1

Absent Senators Blackwell and Norman - 2

No Election being had, Munro, Elzy, Allen and Cloud were withdrawn and the Senate then proceeded to ballot the third time

The following Senators voted for James H. Love: viz
Armistead, Bruch, Campbell, Chism, Crowley,
Duffie, Harris, Hicks, Judkins, Kerr, Reagan, Dipton
Doby, Wilson = 14

The following Senators voted for Thomas C. Scott viz
East, Ferguson, Haycock, House, Johnson, Mulkey,

Pennington, Pindall, Sims, Stanford, Sullivan
Thorne, Williams, & Mr President - 14.

absent Blackwell & Norman - 2.

No Election being had, the Senate proceeded to
ballot the fourth time.

The following Senators voted for James
H. Love: viz:

Armistead, Branch, Campbell, Chism, Crow-
ley, Duffie, Harris, Hicks, Judkins, Kerr, Reagan,
Dipton, Tobey, Wilson = 14.

The following Senators voted for Thomas C. Scott: viz
East, Ferguson, Haycock, Howe, Johnson, Mulkey,
Pennington, Pindall, Sims, Stanford, Sullivan, Thorne,
Williams = 13

The following Senators were absent and not voting
Blackwell, Norman & Mr President = 3.

Mr James H. Love having received a majority
of all the votes cast was declared duly elected
Door Keeper of the Senate.

On Motion of Senator Thorne, duly seconded
the Senate then resolved to proceed with the Election
of a Chaplain.

Senator Ferguson then offered the following
Resolution: viz

Resolved: That the Senate dispense with the Office of
Chaplain and Enrolling Clerk during the present Session;
and, that the Clergy in the City of Little Rock, be
requested to hold a Conference and agree amongst
themselves to furnish the Senate with a Minister to
perform the duties of a Chaplain.

The above Resolution was decided out of order.

Mr Jas H. Love being present, came forward and qual-
ified as Doorkeeper of the Senate, by taking and sub-
scribing to the Oath required by Law.

Senator Thorne nominated Mr A. R. Winfield as
Chaplain of the Senate.

Senator Ferguson moved that the Election of Chaplain
be postponed until to-morrow, which motion he sub-

sequently withdrawn before the question was taken.

Senator Hicks moved a reconsideration of the vote to proceed with the election of a Chaplain.

The Roll being called, the motion to reconsider was lost, the following Senators voting in the affirmative: viz:

Brunch, Ferguson, Doboy = 3.

and the following Senators voting in the negative: viz:

Armistead, Campbell, Chism, Crowley, Duffie, Harris, Haycock, Hicks, House, Johnson, Judkins, Keen, Mulkey, Pennington, Pindall, Reagan, Sims, Stanford, Sullivan, Tipton, Throner, Williams, Wilson = 23.

The following Senators were absent: viz:

Blackwell, Norman, East & Mr President = 4

Senator Wilson nominated Rev S. H. Buchanan as Chaplain of the Senate.

No farther nominations being made, the Senate then proceeded to ballot for Chaplain, the following Senators voting for Rev. A. R. Winfield: viz: Chism, East, Harris, Haycock, Johnson, Judkins, Mulkey, Pennington, Sullivan, Throner & Mr President = 11.

The following Senators voted for Rev S. H. Buchanan: viz: Armistead, Brunch, Campbell, Crowley, Duffie, Hicks, House, Keen, Pindall, Reagan, Sims, Stanford, Tipton, Williams, Wilson = 15 =

The following Senators were excused: viz: Ferguson and Doboy = 2 -

The following Senators were absent: viz: Blackwell and Norman = 2.

Rev S. H. Buchanan having received a majority of all the votes cast, he was declared duly elected Chaplain of the Senate.

Senator Hicks moved that the Senate do now proceed to elect an Enrolling Clerk.

Senator Williams moved to postpone the election of an Enrolling Clerk until to-morrow morning at two o'clock.

Both of the above motions having been withdrawn by their movers, Senator Hicks then moved that a Committee of Five Members be appointed to inquire and report to the Senate to-morrow at Eleven.

o'clock A. M. what additional Officers are required for the transaction of business by the Senate.

Senator Throver moved to amend so as to exclude Janitor and Pages from the operation of the Motion.

The Question being on the Amendment it was adopted.

The Motion as Amended was then adopted. Senator Throver then moved that the Senate do now proceed to the Election of a Janitor, which was adopted.

Senator House nominated John Marks as Janitor
Senator Williams nominated Jerome Lewis as Janitor

Mr President announced the following Senators as composing the Committee ordered to be raised by Senator Hicks Motion: viz

Senators Hicks, Ferguson, Kerr, Throver and Haycock.

No farther Nominations being made for Janitor, the Senate proceeded to ballot for the same, the following Senators voting for John Marks viz: Armstrong, Burch, Campbell, Chism, Crowley, Duffie, Harris, Haycock, Hicks, House, Johnson, Jenkins, Kerr, Whalley, Pennington, Pindall, Reagan, Sims, Stanford, Sullivan, Tipton, Tobey, Thomas, Wilson & Mr President = 25 =

The following Senator voted for Jerome Lewis: viz
Williams - 1.

The following Senator was excused viz: Ferguson. 1

The following Senators were absent viz Blackwell, East and Norman - 3 -

Mr John Marks, having received a majority of all the votes cast, he was declared duly elected Janitor of the Senate.

Indefinite Leave of absence was granted to Senator Blackwell at the request of Senator Williams.

Senator Pennington moved that the Secretary inform the House of Representatives that the Senate was organized and that it is now ready to proceed to business.

Senator Duffie moved an Amendment to

providing that a Committee of three be substituted for the Secretary to inform the house of the organization of the Senate.

The Amendment was adopted and the question being put on the motion it was adopted as amended.

Senator Purington offered the following Resolution: viz

Resolved: That a Committee of Three be appointed on the part of the Senate to join with a Committee on the part of the House of Representatives, to wait on his Excellency the Governor, and inform him that the General Assembly are now organized and ready to receive any communication he may desire to make.

The question being put the above Resolution was declared lost.

On motion of Senator Thrown, the Rules of the last Senate were adopted ^{temporarily} as the Rules of this Senate.

The President announced the following Senators as composing the Committee to notify the House of Representatives of the Organization of the Senate: viz Senators Purington, Duffie & Philson.

On motion of Senator Thrown, the President was requested to ^{allocate} ~~allocate~~ to-morrow two pages for the Senate.

Senator Hicks moved to adjourn until ten o'clock to-morrow, which motion was lost.

On motion of Senator Williams, the Senate then took a recess until 7 o'clock P.M. of to-day.

After the Recess.

The Secretary Jacob Frolich, having during the Recess taken and subscribed to the Oath required by law, proceeded to call off the Roll, when the following Senators answered to their names: viz

Bunch, Campbell, Chism, Crowley, East, Ferguson, Harris, Haycock, Hicks, Home, Johnson, Jenkins, Mulkey, Purington, Pindall, Reagan, Sims, Stanford, Dipton, Doby, Thrown, Philson.
Mr President = 20.

The following Senators were absent, viz: Amistad Blackwell, Duffie, Kerr, Norman, Sullivan Williams = 7.

Senator Pindall moved that the Rules of

the last Senate be adopted as the permanent Rules to govern this body in their deliberations
Which motion was adopted.

Senator Throver moved that the Senate do now adjourn

The Question being put the motion was lost.

On Motion of Senator Throver, a Committee of 3 was appointed to confer with a like Committee of the House of Representatives, on Joint Rules

The President announced the following Senators as composing the Committee ordered to be raised by Senator Throver's motion: viz: Throver, Bunch and Judkins.

On Motion of Senator Hicks the Senate thus adjourned

James H. Jones President

Attest

Jacob Frolick
Secretary.

Senate Chamber
Little Rock Ark June 9th
1877.

The Senate met pursuant to adjournment at Ten o'clock A.M.

The Roll was called and the following Senators answered to their names: viz:

Armistead, Bunch, Campbell, Chism, Crowley, Duffie, Ferguson, Harris, Haycock, Hicks, House, Johnson, Judkins, Kern, Muddley, Pennington, Pindall, Reagan, Sims, Stanford, Sullivan, Tipton, Tobey, Williams, Wilson, Mr President = 26.

Absent, Blackwell, East, Norman, Throver, = 4.

Prayer by the Rev. S. H. Buchanan - Chaplain elect.

The Secretary read the Journal of the preceding day.

Senator East asked leave to annex to his name

No objection being made, the Journal was considered as approved and was signed by the President.

On Motion of Senator Williams, the Question of "what officers of the Senate are required to take the Oath

of Office" was referred to the Judiciary Committee

In accordance with ~~as~~ Resolution previously adopted, the President appointed J. Newton Hunt and Maurice Richardson, as Pages.

The President announced the receipt of a communication from H. J. Warwick, in regard to the seat of Smith Williams in this body.

Senator Chism offered the following Resolution
Resolved - That, the Secretary be required to procure if the same be in the Office of the Secretary of State one of the Constitutions of 1874, for each Senator, also Gay's Digest for each Senator, if the same can be obtained at this time without expense to the State.

Senator Remington, moved to amend by embracing the last Act of the ^{last} Legislature, which was accepted by Senator Chism, and the question being put the Resolution as amended was adopted.

Senator ~~Remington~~ moved that the Senate take a recess until 11 o'clock, which was adopted.

After the Recess.

Eleven O'clock, the hour for the Special Committee on additional officers required by the Senate, having arrived, Senator Hicks presented the following report: viz

Mr. President:

Your Special Committee to whom was referred the subject of the number of Officers necessary to conduct the business of the Senate, respectfully report that in the opinion of your Committee that the Office of Engrossing Clerk and Corroding be combined: and we further recommend the election of a Journal Clerk.

Respy Submitted

H. F. Hicks

On motion of Senator
was adopted,

the above report

Senator moved that the Senate do now proceed to the Election of an Engrossing and Corroding Clerk, which was adopted.

Nominations for the same being in order
 Senator Hughes nominated S. J. Hicks
 Senator Judkins nominated Judge Flippin
 Senator Pindall nominated P. O. Atkins
 Senator Armistead nominated Bascomb Leigh
 Senator Mulkey nominated Mr Ringo

No farther nominations being made, the Senate
 proceeded to ballot for Engrossing and Enrolling
 Clerk, the following Senators voting for S. J. Hicks
 Hicks, House, Johnson, Cunningham, Thomas, & Mr President
 = 6 =

The following Senators voted for Judge Flippin: viz;
 Brunch, Campbell, Crowley, ^{Judkins} Kerr, Reagan, Sims
 Dipton & Wilson = 9.

The following Senators voting for Bascomb Leigh:
 Chism, Duffie, Harris, Sullivan = 4.

The following Senator voted for Ringo: viz; Mulkey = 1.

The following Senators voted for P. O. Atkins: viz;
 Ferguson, Haycock, Pindall, Stanford = 4.

The following Senator voted Collins: viz; Williams = 1.

The following Senators were absent: viz; Armistead
 Blackwell, East, Norman, Tobey = 4.

No Election being had, the Senate proceeded to
 ballot the second time

The following Senators voting for S. J. Hicks: viz;
 Hicks, House, Johnson, Mulkey, Cunningham, Thomas
 & Mr President = 7.

The following Senators voted for Judge Flippin: viz;
 Brunch, Campbell, Crowley, Judkins, Kerr, Reagan
 Sims, Dipton, Wilson = 9.

The following Senators voted for Bascomb Leigh: viz;
 Armistead, Chism, Duffie, Harris, Sullivan, Williams
 = 6 =

The following Senators voted for P. O. Atkins: viz;
 Ferguson, Haycock, Pindall, Stanford = 4.

The following Senators were absent: viz; Blackwell,
 East, Norman and Tobey. 4.

No Election being had, the Senate proceeded to
 ballot the third time, the following Senators voting

S. J. Hicks: viz
Hicks, Howe, Johnson, Mulkey, Pennington, Throver,
& Mr President = 7.

The following Senators voted for Judge Plippin: viz
Branch, Campbell, Crowley, Judkins, Kerr, Reagan
Sims, Dipton, Wilson = 9.

The following Senators voted for Bascomb Leigh
Armistead, Chism, Harris, Sullivan, Williams = 5

The following Senators voted for P. O. Atkins viz
Duffie, Ferguson, Haycock, Pindall, Stanford = 5

Absent Senators: Blackwell, East, Norman & Tobey = 4

No Election being had, the Senate proceeded
to ballot the fourth ~~time~~.

The following Senators voted for S. J. Hicks: viz:
Hicks, Howe, Johnson, Mulkey, Pennington, Throver
Williams, & Mr President = 8.

The following Senators voted for Judge Plippin: viz
Branch, Campbell, ^{Crowley}, Judkins, Kerr, Reagan, Sims
Dipton, Wilson: 9.

The following Senators voted for Bascomb Leigh: viz:
Armistead, Chism, Harris, Sullivan, = 4.

The following Senators voted for P. O. Atkins: viz
Duffie, Ferguson, Haycock, Pindall, Stanford = 5

Senators Absent, Blackwell, East, Norman & Tobey = 4.

No Election being had, the Senate proceeded to ballot
the fifth time:

The following Senators voted for S. J. Hicks: viz
Harris, Hicks, Howe, Johnson, Mulkey, Pennington,
Sullivan Throver, Williams & Mr President = 10

The following Senators voted for Judge Plippin: viz
Branch, Campbell, Crowley, Judkins, Kerr, Reagan
Sims, Dipton, Tobey, Wilson = 10.

The following Senators voted for Bascomb Leigh: viz

Armistead, Chism, = 2.

The following Senators voted for P. O. Atkins: viz
Duffie, Ferguson, Haycock, Pindall, Stanford = 5.

Absent Senators Blackwell, East, Norman = 3.

No Election being had, the name of Bascomb Leigh was withdrawn and the Senate proceeded to ballot the sixth time.

The following Senators voted for J. J. Hicks: viz
Armistead, Harris, Hicks, House, Johnson, Mulkey, Pennington, Sullivan, Thorne, Williams & Mr. President = 11.

The following Senators voted for Judge Flippin: viz:
Bunch, Campbell Chism, Crowley, Judkins, Kerr, Reagan, Sims, Dipton, Tobey, Wilson = 11.

The following Senators voted for P. O. Atkins: viz
Duffie, Ferguson, Haycock, Pindall, Stanford = 5.

Absent Senators Blackwell East Norman = 3.
No Election was had.

Senator Pindall moved that further proceedings in the Election of the Officers provided for in the Report of the Special Committee, be postponed until tomorrow, which motion was lost.

The Senate then proceeded to ballot the seventh time.

The following Senators voted for J. J. Hicks: viz
Armistead, Harris, Hicks, House, Johnson, Mulkey, Pennington, Sullivan, Thorne, Williams & Mr. President 11.

The following Senators voted for Judge Flippin: viz:
Bunch, Campbell Chism, Crowley, Judkins, Kerr, Reagan, Sims, Dipton, Tobey, Wilson = 11.

The following Senators voted for P. O. Atkins = viz:
Duffie, Ferguson, Haycock, Pindall, Stanford = 5.

Absent Senators Blackwell East Norman = 3.

No Election being had, Senator East nominated E. P. English for Engrossing and Enrolling Clerk: viz:

and the Senate then proceeded to ballot the Eighth time

The following Senators voted for J. J. Hicks: viz
Armistead, Harris, Hicks, House, Johnson, Muckey
Punington Sullivan, Thomer, Williams & Mr President
-11-

The following Senators voted for Judge Flippin: viz
Bruch, Campbell, Chism, Crowley, Judkins, Kerr
Reagan, Sims, Tipton Tobey Wilson = 11.

The following Senators voted for P. O. Atkins: viz
Duffie, Ferguson, Haycock, Pindall, Stanford = 5

The following Senator voted for E. P. English: viz
East. -1-

Absent Senators Blackwell and Norman = 2.

No Election being had the Senate proceeded to
ballot the Ninth time and the following Senators
voted for J. J. Hicks: viz:

Armistead, Harris, Hicks, House, Johnson, Muckey
Punington, Sullivan Thomer, Williams and
Mr President = 11.

The following Senators voted for Judge Flippin: viz
Bruch, Campbell, Chism, Crowley, Judkins, Kerr
Reagan, Sims, Tipton, Tobey, Wilson = 11.

The following Senators voted for P. O. Atkins: viz
Duffie Ferguson, Haycock, Pindall, Stanford = 5

The following Senator voted for E. P. English: viz
East = 1.

Absent = Senators Blackwell & Norman = 2.

No Election was had.

Senator Duffie moved that the Election for Enrolling
and Engrossing Clerk be postponed until tomorrow which
was lost.

Senator Chism moved that the Senate do now proceed
take a recess which was lost.

The Senate then proceeded to ballot the tenth time

The following Senators voted for S. J. Hicks: viz:
Armistead, Harris Hicks House, Johnson, Muldrey
Pennington Sullivan Thrown & Mr President = 10.

The following Senators voted for Judge Plippin: viz:
Brunch, Campbell, Chism, Crowley, Judkins, Kerr
Reagan Sims, Dipton, Tobey Williams Wilson = 12.

The following voted for T. O. Atkins viz:
Duffie East, Ferguson Haycock, Pindall Stanford = 6.

Absent - Senators Blackwell and Norman = 2.

No Election was had and the Senate proceeded
to ballot the Eleventh time

The following Senators voted for S. J. Hicks: viz:
Armistead, East, Harris, Hicks House, Johnson, Muldrey
Pennington Sullivan Thrown & Mr President = 11.

The following Senators voted for Judge Plippin: viz:
Brunch, Campbell, Chism, Crowley, Judkins, Kerr, Reagan
Sims, Dipton Tobey Williams Wilson = 12.

The following Senators voted for T. O. Atkins: viz:
Duffie Ferguson, Haycock, Pindall Stanford = 5

Absent - Senators Blackwell and Norman = 2.

No Election was had and the Senate proceeded
to ballot the Twelfth time.

The following Senators voted for S. J. Hicks - viz:
Armistead, East, Harris, Hicks, House, Johnson, Muldrey
Pennington Sullivan Thrown Williams & Mr President
= 12 -

The following Senators voted for Judge Plippin: viz:
Brunch, Campbell, Chism, Crowley, Judkins, Kerr, Reagan
Sims, Dipton Tobey Wilson = 11.

The following Senators voted for T. O. Atkins viz:
Duffie Ferguson, Haycock, Pindall Stanford = 5

Absent - Senators Blackwell and Norman = 2.

No Election was had and the Senate proceeded to
ballot the thirteenth time

The following Senators voted for S. J. Hicks: viz:

Armistead, East, Harris, Hicks, House, Johnson, Mulkey, Pennington, Sullivan, Thomas Williams & Mr. President = 12.

The following Senators voted for Judge Plippin: viz
Branch Campbell Chism Crowley, Judkins Kerr
Reagan Sims Dipton Tobey Wilcox = 11-

The following Senators voted for P. O. Atkins: viz
Duffie Ferguson, Haycock Pindall Stanford = 5

Absent Senators Blackwell and Norman = 2.

There being no Election the Senate proceeded to ballot the fourteenth time.

The following Senators voted for J. J. Hicks: viz
Armistead, East, Harris, Hicks, House, Johnson, Mulkey, Pennington, Sullivan, Thomas Williams & Mr. President = 12.

The following Senators voted for Judge Plippin
Branch Campbell Chism Crowley, Judkins Kerr
Reagan Sims Dipton Tobey Wilcox = 11.

The following Senators voted for P. O. Atkins viz
Duffie Ferguson, Haycock Pindall Stanford = 5

Absent Senators Blackwell and Norman = 2.
No Election was had.

Senator East moved to take a recess which was lost.

The Senate proceeded to ballot the ~~fifteenth~~ time and the following Senators voted for J. J. Hicks: viz
Armistead, East, Harris, Hicks, House, Johnson, Mulkey, Pennington, Sullivan, Thomas, & Mr. President = 11.

The following Senators voted for Judge Plippin
Branch Campbell Chism Crowley, Judkins, Kerr
Reagan Sims Dipton Tobey Williams = 12.

The following Senators voted for P. O. Atkins
Duffie Ferguson, Haycock Pindall Stanford = 5

Absent Senators Blackwell and Norman = 2.

No Election was held and the Senate proceeded

to ballot the Sixteenth time

The following Senators voted for J. J. Hicks: viz
Armistead, East, Harris, Hicks, Hoar, Johnson
Murphy, Pennington, Sullivan Thorne & Mr President
-11-

The following Senators voted for Judge Plippin: viz
Bunch Campbell Chism Crowley, Judkins Kern
Reagan, Sims, Tipton, Tobey, Williams & Wilson.

The following Senators voted for J. O. Atkins viz
Duffie, Ferguson Haycock Pindall Stanford = 5

About Senators Blackwell and Norman 2.

No Election was had.

The following message was received from the
House of Representatives through Mr J. S. Thomas
Chairman of Committee. viz

Mr President.

The undersigned Committee have
been appointed by the House to inform your Honor
able body that the House of Representatives is now
organized and ready to proceed to business.
J. S. Thomas
Chairman

Senator Pindall moved to postpone the Election
of Engrossing and Enrolling Clerk until a com-
mittee can be appointed to confer with a like
Committee of the House. The motion was adopted.

Senator Bunch offered the following resolution: viz
Resolved: That a Committee of three be appointed
by the President to act with such Committee as may
be appointed on the part of the House, to wait upon
the Governor and inform him, that the two houses are
now organized and ready to receive any communica-
tion he may see proper to make.

The Resolution was adopted and the President
announced the following Senators as composing the Com-
mittee ordered to be raised: viz Senators Bunch
Sims and Williams.

Senator Pindall moved that the Senate do
now take a recess until half past Twelve o'clock.

P. M.

Senator Hicks moved to amend by saying till half past one o'clock P. M.

The Amendment was accepted and the Motion as amended was adopted.

After the Recess

The Roll was called and the following Senators answered to their names: viz

Armistead, Bunch Campbell, Crowley, Duffie East, Ferguson, Haycock, Hicks, House, Johnson, Punnington, Prindall, Reagan, Sims, Stanford Dipton, Tobey Thorne, Williams & Mr President = 24.

Absent Senators Blackwell, Chism, Harris, Judkins, Kerr, Mulkey, Norman, Sullivan Wilson = 9.

A Quorum being present Senator Johnson moved that the Senate proceed with the Election of Engrossing and Enrolling Clerk, which was adopted.

The Senate then proceeded to ballot the Seventeenth time and during the calling of the Roll the following Senators asked leave to answer to their names: viz Chism, Judkins, Wilson and Sullivan = 4.

The following Senators voted for J. J. Hicks Armistead Hicks House Johnson Punnington Sims Sullivan Thorne Williams & Mr President - 10 -

The following Senators voted for Judge Phipps Bunch Campbell Chism Crowley Judkins, Reagan Dipton Tobey Wilson = 9.

The following Senators voted for D. O. Atkins viz Duffie East, Ferguson Haycock, Prindall Stanford = 6

Absent Senators Blackwell Harris Mulkey Norman Kerr = 5.

No Election was had and the Senate proceeded to ballot the Eighteenth time

The following Senators voted for J. J. Hicks: viz Armistead, Harris, Hicks House Johnson Mulkey Punnington Sullivan Thorne Williams & Mr President - 11 -

The following Senators voted for Judge Flippin
Bunch, Campbell Chism Crowley, Judkins, Kerr
Reagan, Stanford, Dipton Tobey, Wilson - 11-

The following Senators voted for J. O. Atkins - viz
Duffie, East, ^{Ferguson} Haycock Prindall - 5.

Absent Senators Blackwell, Norman Sims = 3.

No Election was held and the Senate proceeded to
ballot the Nineteenth time

The following Senators voted for J. J. Hicks: viz:
Armistead Harris, Hicks, House, Johnson, Mulkey
Punington Sullivan Thorne Williams & Mr Presi-
dent = 11.

The following Senators voted for Judge Flippin
Bunch, Campbell Chism, Crowley, Judkins, Kerr
Reagan Sims, Dipton. Tobey Wilson 11-

The following Senators voted for J. O. Atkins: viz
Duffie East. Ferguson Haycock Prindall Stanford
= 6 =

Absent Senators = Blackwell & Norman 2.

No Election was held and the Senate proceeded
to ballot the Twentieth time

The following Senators voted for J. J. Hicks - viz
Armistead, Harris, Hicks House Johnson, Mulkey
Punington Sullivan Thorne Williams & Mr President
- 11 -

The following Senators voted for Judge Flippin
Bunch Campbell Chism Crowley, Judkins Kerr
Sims Dipton Tobey Wilson = 10 -

The following Senators voted for J. O. Atkins: viz
Duffie East Ferguson, Haycock Prindall Stanford
= 6 =

Absent - Senators Blackwell and Norman and
Reagan = 3.

No Election was had.

Senator Bunch rose to explain why the
Committee appointed to wait upon the Governor, did
not as a body.

On Motion of Senator Williams the explanation
was received

Senator Williams moved that the Secretary
be directed to inform the House of Representatives

that the Senate will be ready to go into Joint Session at 3-30 o'clock P.M. to receive the Governor's Message.

The Motion was adopted.

The President informed the Senate that he was in receipt of a Communication from the National Board of Trade, which upon Motion was laid upon the table.

A Message from the House of Representatives by its Chief Clerk Thomas W Newton was received as follows: viz

Mr. House of Representatives
Little Rock Ark Jan'y 9th 1877

Mr President

I am instructed by the House to inform your Honorable Body, that they are now ready to receive the Senate in Joint Session, for the purpose of receiving the Governor's message.

(Signed) Thomas W Newton
Clerk.

Senator Pindall moved that the pending question of the Election of an Engrossing and Enrolling Clerk be postponed until to-morrow at Eleven o'clock.

The Motion was adopted.

Senator Pindall moved that the Senate do now proceed to meet the House of Representatives in Joint Session, which was adopted.

Thereupon the Senators preceded by their Officers repaired to the Hall of the House of Representatives where they were received in due form.

President Jones called the Joint Assembly to order and announced the purpose of the Joint Convention to be to receive the Message of His Excellency A. H. Garland Governor.

The Secretary of the Senate called the Roll of the Senate and the following Senators answered to their names: viz

Armistead, Bruch, Campbell Chism Crowley
Duffie East, Ferguson, Harris, Haycock, Hicks
Horne, Johnson, Judkins Kerr McKinney Pennington

Pindall Reagan Sims, Stanford Sullivan
Tipton John Shower Williams Wilson and Mr
President = 28.

Absent - Senators Blackwell and Norman = 2.

A. J. Gurney was found to be present:

The Clerk of the House called the Roll of the
House and the following Representatives answered to
their names: viz: Andrews, Averas, Barnett, Best,
Blaukschip, Brady, Brock, Brown, Cobb, Coleman
of Clark, Coleman of Philips, Cotham, Cubage, Cum-
mingsham, Davis of Pope, Davis of Sealey, Davidson
Donohoe, Duncan, Dunagin, Eagle, Ebberson, Farr
Fishback, Fisher, Floyd, Foster, Gardner, Gibson
Gray, Harrison of Saline, Harrison of Yeld, Herdell
Hearn, Hervey, Hill, Hinton, Jacks, Jennings
Jones, Lawham, Lee, Mainard, Martin of Fairburn
Martin of Dallas, Matthews, McHenry, McKennan
McRae, Milor, Mooney, Morgan, Morton, Murphy
Pearce, Perry, Peoples, Poyner, Price, Priddy,
Ratcliffe, Reid, Rice, Polson, Sams, Sawyer
Smith, Stanley, Stinson, Stubbs, Tate, Thomas,
Thomason, Wafford, Walker, Warren of Crawford
Watson, Weaver, Wells, Whitson, Wilson, Williams
of Hot Spring, Williams of Mississippi, Williamson
& Mr Speaker. 84.

Absent Mr Durham. 1-

A Quorum of ~~the~~ House was found to be present

General Carroll H. Wood, private Secretary
to His Excellency the Governor, then appeared at
the Bar of the House, and upon being admitted
within it proceeded to deliver and read the
Message of the Governor, as follows

At the conclusion of the reading of the Governor's Message, Upon motion of Senator Hicks, the Joint Assembly was dissolved, the Senate retiring to its Chambers.

The following Message was received from the House:

House of Representatives
Little Rock Ark Jan'y 9th 1877

Mr President

I am instructed by the House to inform

Your Honorable Body of the appointment by the House of a Committee of Three to act with a like Committee of the Senate, on Joint Rules, The Committee on the part of the House consists of Messrs McRae Eagle and Gishbacks

Respy.
Thomas W Newton
Clerk

Senator Williams moved that the Secretary inform the House that the Senate will be ready to count the vote for Governor and state Officers to morrow at noon, and request their concurrence
The Motion was adopted.

Senator Duffie presented the following Resolution
Resolved - That the Secretary be directed to procure for the use of this body 500 Copies of the Governor's Messages.

Senator Pennington moved to amend by adding "and accompanying documents already printed"
The Amendment was adopted and the question being then taken on the Resolution as amended it was adopted.

The President presented a communication from Jasper County which upon motion of Senator Chism was laid over subject to call

Senator ^{Williams} moved that the Senate proceed to the Election of a Journal Clerk
The Motion was lost.

Upon Motion of Senator Kerr the Senate then adjourned until to morrow morning at 10 o'clock.

Attest,
Jacob Frolich,
Secretary

James K Jones
President of the Senate

Senate Chamber
Little Rock January 10th 1877.

The Senate met pursuant to adjournment at Ten o'clock A.M.

The Roll was called and the following Senators answered to their names: viz:

Armistead, Brunch, Campbell, Chism, Crowley, Duffie, Ferguson, Harris, Haycock, Hicks, Home, Johnson, Judkins, Kerr, Whiskey, Cunningham, Pindall, Reagan, Sims, Stanford, Sullivan, Tipton, Tobey, Williams, Wilson, Mr President = 26.

Absent = Senators, Blackwell, East, Norman, Thorne = 4.

Prayer by the Rev S. H. Buchanan Chaplain-elect.

The Journal of the Senate for the preceding day was then read by the Secretary.

It was then announced by the President, that if there was no objection, the Journal could be approved.

During the reading of the Journal, the following message was received from the House of Representatives through Mr John Holland, its Assistant Clerk: viz

House of Representatives
Little Rock Ark January 10th 1877

Mr President

I am instructed by the House of Representatives to inform your Honorable Body, that at 11 o'clock ^{A.M.} on this day, the House will be in readiness to receive the Senate in Joint-Session for the purpose of witnessing the opening and publishing the Vote of the State for the Governor and other Officers

Respectfully,

Thomas W. Newton
Clerk of the House of Representatives

Senator Cunningham arose to inquire whether the Governor's Message was written in the Journal or attached to it.

Senator Williams moved that the Secretary be allowed to append the Printed Document to the Journal.

Senator East asked and obtained leave to answer to his name.

Senator Pindall moved to amend Senator Williams' motion by adding "and accompanying printed Documents". The amendment was accepted by Senator

Williams

The Motion as amended was then adopted.

Senator Johnson presented Senate Concurrent Resolution: No. 1, which was read by the Secretary.

Senator Pindall moved that Senate Concurrent Resolution No 1 be laid on the table, subject to call.

The motion was adopted.

Senator Kern moved that the Secretary be directed to notify the House of Representatives that the Senate is now ready to meet the House in Joint Session to count the votes for Governor and State Officers.

The Motion was adopted.

The President announced the following Standing Committees of the Senate: viz

On the Judiciary

X. J. Pindall, A. M. Wilson, C. Thorne, M. M. Duffie, J. B. Judkins, S. H. Williams and J. G. Johnson.

On Finance

C. Thorne, L. H. Sims, H. B. Armistead, R. P. Kern, George Haycock, B. H. Crowley, X. J. Pindall.

On Militia

Charles E. Tobey, J. G. Johnson, Benjamin Harris, B. B. Chism, A. H. Ferguson.

On Education

J. W. Howe, H. C. Dipton, W. F. Hicks, O. D. East and Sam H. Williams.

On Railroads and other
Internal Improvements.

Bradley Bunch, M. M. Duffie, J. R. Hampton, A. M. Wilson, C. L. Sullivan.

On Agriculture

A. H. Ferguson, J. R. Hampton, R. P. Kern, H. B. Blackwell, George H. Norman.

On Apportionment.

A. A. Pennington, B. B. Chism, C. G. Reagan, C. L. Sullivan, George Norman

On County & County Lines

M. J. Mulvey, C. E. Tobey, Bradley Bunch, H. C. Dipton, W. F. Hicks.

On Public Roads

George H. Norman, John Campbell, H. H. Blackwell
M. J. Mulkey Benj Harris

On Elections

J. R. Hampton, B. H. Crowley, A. L. Stanford
H. B. Armistead C. E. Poby.

On Printing

H. F. Hicks, O. D. East, C. G. Reagan, J. W. Howe
B. B. Chism

On Penitentiary

R. T. Kerr, H. F. Hicks, J. B. Judkins, H. B. Armistead
A. L. Stanford.

On Public Buildings

C. G. Reagan, Benj Harris, H. C. Tipton, C. L. Sullivan
A. A. Pennington

On Memorials

J. G. Johnson, George Haycock, A. H. Ferguson J. W. Howe
Bradley Bunch,

On Expenditures

H. H. Blackwell, S. W. Williams, A. A. Pennington, John
Campbell, A. L. Stanford.

On Federal Relations

L. H. Sims, S. W. Williams, X. J. Pindall, A. M. Wilson
C. Thomer.

On State Lands.

M. M. Duffie, George H. Norman, J. B. Judkins
J. G. Johnson, C. Thomer.

On Auditors and Treasurers Accounts

J. B. Judkins, H. B. Armistead, C. G. Reagan, George
Haycock, X. J. Pindall, B. H. Crowley, M. M. Duffie.

On Claims

A. M. Wilson, C. E. Poby, M. J. Mulkey, R. T. Kerr
B. B. Chism,

On Franchise

B. H. Crowley, C. L. Sullivan, Benj Harris, John
Campbell, H. H. Blackwell

On Engrossed Bills

H. C. Dipton, J. W. House, A. A. Pennington, M. J. Mulkey
J. G. Johnson.

On Enrolled Bills

John Campbell, Sam W. Williams, O. D. East, George
Haycock, B. H. Crowley.

On Corporations

O. D. East, Bradley Bunch, L. H. Sims, J. R. Hampton
A. H. Ferguson.

Senator Williams having been originally appointed Chairman of the Committee on Expenditures, or as at his own request by a vote of the Senate relieved as Chairman of said Committee, and Senator Blackwell thereby substituted in his stead as such Chairman.

At 4 minutes to 11 o'clock A. M. Senator Johnson moved that the Senate take a recess of 4 minutes. The Motion was adopted.

The 4 minutes having elapsed the President called the Senate to order at Eleven o'clock A. M.

On Motion of Senator Hicks, the Secretary was directed to inform the House of Representatives that the Senate was now ready to meet that body in Joint Session to count the votes for Governor and State Officers.

At Eleven o'clock and five minutes the Senators preceded by their Officers, repaired to the Hall of the House of Representatives, where they were received in due form.

President Jones called the Joint Convention to order and announced the object of the Joint Assembly to be to count the votes of the State for Governor and other State Officers.

The Secretary of the Senate called the Roll of the Senate and the following Senators answered to their names

Armistead, Bunch, Campbell, Chism, Crowley, Duffie, East, Ferguson, Harris, Haycock, Hicks, House, Johnson, Judkins, Kerr, Mulkey, Pennington, Pindall, Reagan, Sims, Stanford Sullivan, Dipton, Doby, Williams and Mr President = 26

absent Senators Blackwell Norman Thrown and Wilson - A. Governor of the Senate was found to be present.

The Clerk of the House of Representatives proceeded to call the Roll of the House, the following Representatives answered to their names: viz:

Andrews, Arera, Barnett, Best, Blankenship, Boddy, Brooks, Brown, Cabb, Coleman of Clark, Coleman of Phillips, Cotham, Cutage, Cunningham, Davis of Pope, Davis of Seany, Davidson, Donohoe, Duncan, Drimagin, Durham, Eagle, Ebberson, Farr, Fishback, Fisher, Floyd, Foster, Gardner, Gibson, Gray, Harrison of Saline, Harrison of Yell, Headlee, Hearn, Hervey, Hill, Hunter, Jacks, Jennings, Jones, Lawhon, Lee, Mainard, Martin of Paulsner, Martin of Dallas, Matthews, McHenry, McKennon, McKee, Milor, Mooney, Morgan, Morton, Murphy, Pearce, Perry, Peoples, Poyner, Price, Priddy, ~~Ratcliffe~~, Reid, Rice, Rolison, Sams, Sawyer, Smith, Stanley, Stinson, Stubbs, Tate, Thomas, Thomason, Wofford, Walker, Warren of Crawford, Warren of Union, Watson, Wear, Wells, Whitson, Wilson, Williams of Hot Springs, Williams of Mississippi, Williamson and Mr Speaker, = 86.

absent - Mr Ratcliffe - 1.

A Quorum of the House of Representatives was found to be present.

The Speaker of the House of Representatives, then proceeded to open and announce the vote of the State for Governor and other State Officers by Counties

Pending which upon motion of ^{Ref. H. H. H.} ~~Senator~~ ^{Ref. H. H. H.} the Joint Assembly was dissolved at 12 1/2 o'clock P.M. until 2 1/2 o'clock P.M., the Senate retiring to its Chambers. upon arriving at which, and having been called to order by the President, upon motion of Senator Williams the Senate then took a recess until 2 o'clock P.M.

After the Recess

The Hour of Two o'clock P.M., having arrived, the Senate was called to order by the President.

Upon call of the Roll the following Senators were found to be present viz: Branch, Campbell

Chism, Crowley, Duffie, East, Ferguson, Hicks, House, Johnson, Juddkins, Pindall, Sims, Stanford, ^{Williams} ~~Nipton~~, and Mr President = 17

absent Senators ^{Aminty} Blackwell, Harris, Hays, etc., Kerr, Muckey, Norman, Pennington, Reagan, Sullivan, Tobey, Throber, Wilson = 13.

A Quorum was found to be present.

Senator Throber Chairman of the Special Committee on

Joint Rules, asked and obtained leave to present the following report of said Committee, which was read by the Secretary as follows: viz:

Mr President

Your Committee on Joint Rules instructed to confer with a like Committee from the House of Representatives beg leave to report the following

Your Committee have met and conferred with the Committee from the House of Representatives and recommend the Adoption of the Joint Rules of the Session of 1874 with the Amendments herein suggested, a copy of said Rules are hereto attached.

I. Add after the last word "Sent" in Rule III. the words "or their Assistant Secretary or Assistant Clerk"

II. In Rule 4 add after the word "House", in second line printed copy hereto attached "or either of their Assistants"

III. Amend Rule V by striking out the word "House" in 1st line printed copy hereto attached and insert the word "Body"

all of which is respectfully submitted
signed C. Throver
Chairman Committee

Senator Hicks moved the adoption of the Amendment to Joint Rule III. The motion was lost.

Senator House moved that the Report of the Committee be adopted,

The Motion was adopted.

At Two o'clock and thirty minutes P. M., the hour designated for the re-assembling of the Senate and House of Representatives in Joint Session, Senator Duffie moved that the Senate do now proceed to the Hall of the House of Representatives to finish the Counting of the Votes of the State for Governor and other State Officers

The Motion was adopted

Thereupon the Senators preceded by their Officers repaired to the Hall of the House of Representatives, where they were received in due form.

President Jones called the Joint Convention to order

The Secretary of the Senate called the Roll of the Senate, & the following Senators answered to their names: viz

Armistead, Branch, Campbell, Chas. Crowley, East, Ferguson, Harris House, Johnson, Jenkins, Kern

Mulkey, Sims, Tipton, Tobey, Throver, Williams, Wilson
 & Mr President = 20
 absent - Senators Blackwell, Duffie, Haycock, Hicks
 Norman Cunningham, Pindall, Reagan, Stanford and
 Sullivan = 10.

A Quorum of the Senate was found to be present.

The Clerk of the House of Representatives called
 the Roll of the House, the following Representatives an-
 swering to their names: viz

Andrews, Arora, Barnett, Best, Blankenship, Brady,
 Brooks Brown, Cobb Coleman of Clark, Coleman of
 Phillips, Cotham, Cubage, Cunningham, Davis of Pope,
 Davis of Sealey, Davidson, Donohoe, Duncan, Druggin
 Durham, Eagle, Ebberson, Farr, Fishback, Fisher
 Floyd, Foster, Gardner, Gibson, Harrison of Sabine, Harrison
 of Yell, Headlee Hearn, Hill, Huntley, Jace, Jennings
 Jones, Lawhon Leigh, Mainard, Martin of Paulkner
 Martin of Dallas, Matthews, McKinney, McKinnon,
 McKee Milor, Mooney, Morgan Morton, Murphy, Pace
 Perry, Peoples, Poyner, Price, Priddy, Ratcliffe, Reid
 Rice, Rolison, Sams, Sawyer, Smith, Stanley, Stinson
 Stubbs, Tate, Thomas, Thomason Wofford, Walker,
 Warren of Crawford, Warren of Union, Watson, Weaver,
 Wells Whitson, Wilson, Williams of Hot Springs, Williams
 of Mississippi, Williamson, & Mr Speaker, = 85.
 absent = Messrs Gray & Hervey = 2.

A Quorum of the House of Representatives was found
 to be present.

The President announced that the Count of the Vote
 of the State for Governor and other State Officers would be
 continued by the Speaker of the House of Representatives.

The Speaker having completed the Count of all the
 returns that had been forwarded to the Speaker of the
 House of Representatives, Mr Best of Miller called for
 the Returns of Miller County and Mr Durham called for
 the returns of Little River County.

The Speaker announced that the returns of these two
 Counties had not been received by him.

Mr Reid of Columbia offered the following Reso-
 lution: viz

Resolved - That a Committee of Three be appointed by the
 President, to call upon the Secretary of State, and ascertain
 the cause of the missing of the Returns from the Counties
 of Little River and Miller and whether he has any authen-
 ticated returns in his Office.

The Resolution was adopted.

The President announced Senator Williams and Messrs

Best and Reid of the House, as composing the Committee ordered to be raised under the above Resolution.

The Committee appointed to wait on the Secretary of State reported, bearing certified copies of the Returns from Miller & Little River Counties, which were read by the Speaker.

Mr Thomas objected to the reception of the certified copies, alleging there was no law for such a procedure.

~~Senator Williams moved that it be spread upon the Journals.~~

~~The Motion was lost.~~

Senator Hicks moved that the Senate withdraw in order to consult.

The Motion was adopted, and the Senate withdrew to their Chambers and was called to order by the President at 4¹² o'clock P.M. The Roll was called and the following Senators answered to their names: viz

Armistead, Bunch, Campbell, Chism, Crowley, Duffie, East, Ferguson, Harris, Haycock, Hicks, House, Johnson, Judkins, Kerr, Mulkey, Pennington, Prindall, Sims, Stanford, Sullivan, Tipton, Tobey, Thrown, Williams, Wilson, & Mr President = 27.

absent - Senators Blackwell, Norman, Reagan = 3.

A Quorum being present,

Senator House moved - That it be the Sense of this Body that the Speaker of the House of Representatives, count the certified copies from Little River & Miller Counties as presented to the Joint Assembly by the Secretary of State.

Senator Williams called for the Yeas and Nays.

The Secretary called the Roll with the following result: viz

Those voting in the affirmative were Senators Armistead, Bunch, Campbell, Chism, Crowley, Duffie, East, Ferguson, Harris, Haycock, Hicks, House, Johnson, Judkins, Kerr, Mulkey, Pennington, Prindall, Reagan, Sims, Stanford, Sullivan, Tipton, Tobey, Thrown, Williams, Wilson & Mr President = 28.

Absent - Senators Blackwell and Norman = 2.

The Resolution was declared adopted.

At Ten minutes to five o'clock P.M., Senator Johnson moved that the Secretary be directed to inform the House of Representatives that the Senate is now ready to meet with them in joint-session. which was adopted.

A Message from the House of Representatives

through its Chief Clerk Thomas W. Newton, was received as follows: viz:

House of Representatives
Little Rock Ark Jan'y 10th 1877

Mr President

I am instructed by the House to inform your Honorable Body, that the House has decided to direct the Speaker to count the votes of Little River and Miller Counties from returns furnished by the Secretary of State and is now ready to receive the Senate.

Respectfully

Thomas W Newton
Clerk.

The President announced if there was no objection the Senate would proceed to the Hall of the House of Representatives, to meet the House in Joint Session.

No objection being made, the Senators, preceded by their Officers then repaired to the Hall of the House of Representatives, where they were received in due form.

President Jones called the Joint Convention to order.

The Secretary of the Senate called the Roll of the Senate, and the following Senators answered to their names: viz

~~Armstrong~~ Bunch Campbell, Chism, Crook, Ferguson, Harris, Hicks, Howe, Johnson, Judkins, Kerr, Mulkey, Pennington, Reagan, Shins, Sullivan, Tipton, Williams, Wilson, & Mr President = 20.

absent - Senators ^{Armstrong} Blackwell, Duffie, East, Haycock, Norman, Pindall, Stanford, Tobey, Thrown = 10.

A Quorum was found to be present.

The Clerk of the House of Representatives, called the Roll of the House, and the following Representatives answered to their names. viz

Anders, Averay, Barnett, Best, Blankenship, Bralley, Brooks, Brown, Cobb, Coleman of Clark, Coleman of Phillips, Colshaw, Cubage, Cunningham, Davis of Pope, Davis of Seary, Davidson, Donohoo, Duncan, Dymagin, Durham, Egle, Ebberson, Farr, Fishback, Fisher, Floyd, Foster, Gardner, Gibson, Gray, Harrison of Saline, Harrison of Yell, Headlee, Hearn, Hill, Hunter, Jennings, Jones, Lawhon, Lee, Mainard, Martin of Faulkner, Martin of Dallas, Matthews, McKenny, McKinnon, McKee, Milor, Mooney, Morgan, Moton, Murphy, Pearce, ~~Peddy~~, Peoples, Poyner, Price, Priddy, Ratcliffe, Reid, Rice, Robison, Sams, Sawyer, Smith, Stanley, Stinson, Stubbs, Tate, Thomas, Thomason, Tofford, Walker, Warren of Crawford, Warren of Union.

Watson, Wear, Wells, Whitem, Wilson, Williams of Hot Springs, Williams of Mississippi, Williamson & Mr. Spearman
85
about Messrs Harvey & Jacks = 2.

There being a Quorum of the House present. The President informed the Joint Assembly that the Senate had agreed that the Vote of Miller and Little River Counties should be counted.

The Speaker announced that the House of Representatives had agreed likewise.

The Speaker then announced the Total Result as follows: viz:

Office	Names Voted For	Number of Votes.
For Governor	William R. Miller	70424
	A. W. Bishop	37306
	W. R. Berry	874
	Jos Brooks.	21
	A. W. Johnson	5
	James Gozzy	3
For Secy of State	Benton B. Beavers	71112
	J. H. Johnson	34430
	J. R. Berry	14
For Auditor	John Crawford	69383
	H. A. Miller	34898
	John W Crawford	1934
	John C Crawford	330
	Nicholas Miller	680
For Treasurer	Thomas J. Churchill	71117
	Nicholas Straub	35813
	John H. Johnson	676
For Atty Genl	Wm F. Henderson	65135
	Thomas H. Barnes	34765
	W. B. Henderson	5104
	H. F. Barnes	1132

Senator Branch moved that a Committee of Three Senators and Five Representatives be appointed to inform the Governor elect and other State Officers, that they are legally elected and to learn the arrangements for the inauguration and report to their respective bodies.

The Motion was adopted.

The President announced the following Senators

and Representatives as composing the Committee
ordered to be raised by the foregoing motion: viz
Senators Bunch, Pennington and Crowley and Representa-
tives Warren of Union, Eagle, Tate Stebbins and Demagins

Senator Hicks moved that the Joint ^{Session} be now dis-
solved, which was adopted and the Senate
retired to their Chambers at 5-25 o'clock P.M.

The Senate was called to order by the President

Senator Judkins moved that the Senate do now
adjourn until to-morrow morning at 10 o'clock
The Motion was adopted and the Senate
declared adjourned until 10 o'clock A.M. to-morrow.

attest.
Jacob ~~Proctor~~
Sec Senate

James H. Jones
President

Senate Chamber

Little Rock Jan'y 11th 1877

The Senate met pursuant to adjournment at 10 o'clock A.M.

The Roll was called and the following Senators answered to their names viz;

Armistead, Bunch Campbell Chisum
Crowley Duffie Ferguson Harris Haycock
Hicks House Johnson Kerr Mulkey
Norman Pennington Pindall Reagan Sims
Stanford Sullivan Tipton Tobey Williams
Mr President = 25-

Absent Senators East Jenkins Throver & Wilson
= 4

Prayer by Rev J H Buchanan Chaplain

The Journal of the Senate for the preceding day was then read by the Secretary.

Senator Williams moved to dispense with the reading of the Roll of both Houses while in joint session. adopted *Unanimously*

Senators East & Jenkins asked and obtained leave to answer to their names.

Senator Williams offered joint concurrent Resolution no(2) relative to re-arrangement of the Judicial Circuits of the State
Read first time, rules suspended and read second time.

Senator Throver moved to refer to committee on Judiciary, which was lost.

Senator Duffie moved that the resolution be made special order for Eleven o'clock tomorrow which was adopted.

On motion of Senator Summerton the Rules were suspended and the following resolution offered

Resolved - That a joint committee consisting of three from the Senate and four from the House with the concurrence of the House be raised, to whom shall be referred that portion of the Governor's message relating to the Hot Springs reservation whose duty it shall be to prepare a memorial to the Congress of the United States urging the immediate passage of an act repealing the act under which a receiver to take charge of, rent and receive rents for buildings situated thereon erected by individual enterprise has been appointed by the Court of Claims and requiring a revocation of the order appointing said receiver. And further to recommend such disposition of said reservation as that neither the rights of individuals nor the Government shall be prejudiced

Signed

Summerton

Hot Springs.

which was adopted.

Senator Piddall moved that Senators Norman and House be added to the Judiciary Committee - Adopted

Senator Hicks moved that Senator Ferguson be added to the finance committee, adopted

Senator Kerr moved that Senator Tobey be added to Committee on Penitentiary and that Senator Williams be added to the Committee on Rail Roads and Internal Improvements = adopted

Senator Shrover moved that Senators Wilson and Bunch be added to Committee on Finance = adopted

Senator Williams moved that Senator Crowley be added to Committee The Judiciary adopted

Senator ^{Bunch} as chairman of the committee to notify the State Officers of their election, asked leave to make a report which was granted which report was as follows:

Mr President

The Joint Committee of the two Houses of the General Assembly to wait upon the Hon William R Miller the Governor elect and inform him of his election and to ascertain from him at what time it would suit his convenience to be inaugurated as such Governor Beg leave to report. = That they have performed that duty and I am instructed to report to the Senate that it will suit his convenience to take the oath of Office on this day at 12 O'clock, M, in the presence of the two Houses assembled in the Hall of the House of representatives

The Committee also waited upon Hon John Crawford, Auditor elect and Hon S J Churchill Treasurer elect and informed them of their election respectively.

The committee failed to find Hon B B Beavers Secretary of State elect and Hon W F Henderson elect

Respectfully Submitted

Bradley Bunch

Chairman on part of Senate

On Motion of Senator Chism the petition of Citizens of Jasper Township Crawford County in reference to illegal sale of ardent spirits in said Township was taken up and read

Senator Armistead moved to refer the petition to the committee on Memorials which was carried

Senator Williams gave the following notice

Mr President

I will at an early day introduce a bill, entitled an act to fill the vacancy now existing in the Board of Rail Road commissioners

Also a bill to be entitled, an act to authorize a change or abandonment of location by a Rail Road Corporation

Also a bill to protect laborers and employees of Rail Road Corporations and engaged in operating Rail Roads and persons who have stock injured by Rail Roads and to collect their demands and liabilities from such corporations

Also a bill to be entitled an act regulating the mode of assessing and collecting the taxes on the property of Rail Road Corporations

Signed = Williams

Senator House gave the following notice

Notice is hereby given that at an early day I will introduce a bill to validate and legalize the levying of taxes in the incorporated town of Searcy for the year 1876

Signed. House

Senator Pindall offered the following

Mr President = I desire to give notice that I will at an early day introduce a Joint Resolution to investigate the bonded debt of the State

Signed = Pindall

of Desha

Senator Johnson offered the following

Mr President = I give notice that I will at an early day introduce a bill to repeal act No (96) of date Dec 15th 1875 entitled an act repealing sections 5125 = 5126 & 5127 of Gaub's Digest establishing county boards of equalization

Signed

Johnson of Miller

Senator Duffie offered the following Resolution

Resolved— That the Judiciary committee be directed to investigate the subject and report at what time an election for United States Senator should take place under the act of Congress fixing a time and manner of holding such election

Signed Duffie of Dallas

Senator Kerr moved That the Rules be suspended and that we now proceed to the election of Enrolling Clerk which was adopted

Nominations being in order Senator Norman nominated A. W. Giles

The Roll being called the following Senators voted for I J Hicks.

First Ballot. Armistead, Harris, Hicks, House, Johnson, Mulkey, Pennington, Sullivan, Thrower, Williams, & Mr President = 11

The following Senators voted for Judge Flippen, = Bunch, Campbell, Chase, Crowley, Duffie, East, Jenkins, Kerr, Reagan, Sims, Stanford, Tipton, Tobey, Wilson = 14

The following Senators voted for I O Atkins Ferguson, Haycock, = 2

The following Senators voted for A. W. Giles Norman & Pindall = 2

Absent. Senator Blackwell

There being no election the Senate proceeded to the second ballot. The following Senators voting for I J Hicks

Armistead, Harris, Hicks, House, Johnson, Mulkey, Pennington, Sullivan, Thrower, Williams & Mr President, = 11

The following Senators voted for Judge Shippin
Bunch, Campbell, Chism, Crowley,
Duffie, East, Judkins, Kerr, Reagan
Sims, Stanford, Tipton, Tobey, Wilson = 14

The following Senators voted for I Q Atkins
Ferguson, Haycock, = 2

The following Senators voted for A W. Fells
Norman & Pindall = 2

Absent. Senator Blackwell

Senator Pindall withdrew the name of
I Q Atkins

There being no election The
Senate proceeded to the third ballot.

The following Senators voted for I J Hicks
Armistead, Ferguson, Harris, Haycock,
Hicks, House, Johnson, Mulkey,
Pennyton, Sullivan, Throver, Williams
& Mr President, = 13

The following Senators voted for Judge Shippin
Bunch, Campbell, Chism, Crowley, Duffie
East, Judkins, Kerr, Reagan, Sims, Stanford
Tipton, Tobey, Wilson = 14

The following Senators voted for A W. Fells
Norman & Pindall = 2

Absent Senator Blackwell

There being no election The Senate proceeded
to the fourth ballot.

The following Senators voted for I J Hicks
Armistead, Ferguson, Harris, Haycock,
Hicks, House, Johnson, Mulkey, Pennyton
Sullivan, Throver, Williams & Mr President = 13

The following Senators voted for Judge Shippin
Bunch, Campbell, Chism, Crowley,
Duffie, East, Judkins, Kerr, Reagan, Sims,
Stanford, Tipton, Tobey, Wilson, = 14

The following Senators voted for A. W. Fells
Norman + Pindall = 2.

Absent Senator Blackwell

There being no election The Senate proceeded to the fifth ballot.

The following Senators voted for I. J. Hicks
Armistead, Ferguson, Harris, Haycock,
Hicks, House, Johnson, Mulkey, Punnington
Sullivan, Thrower Williams + Mr. President = 1.

The following Senators voted for Judge Fleppin
Bunch Campbell Chism, Crowley Duffie
East, Jenkins, Kerr, Reagan, Sims, Stanford
Lipton Tobey Wilson = 14.

The following Senators voted for A. W. Fells
Norman + Pindall = 2

Absent - Senator Blackwell.

There being no election The Senate proceeded to the sixth ballot

The following Senators voted for I. J. Hicks
Armistead, Ferguson, Harris, Haycock,
Hicks, House, Johnson, Mulkey, Punnington
Sullivan, Thrower Williams + Mr. President = 1.

The following Senators voted for Judge Fleppin
Bunch Campbell Chism Crowley Duffie
East, Jenkins, Kerr, Reagan, Sims, Stanford
Lipton, Tobey Wilson = 14

The following Senators voted for A. W. Fells
Norman + Pindall = 2

Absent - Senator Blackwell
No election.

Senator Thrower moved to postpone the election of Enrolling & Engrossing Clerk till 10. O'clock tomorrow.

The motion being lost The Senate proceeded to the seventh ballot.

The following Senators voted for I J Hicks,
Armistead Ferguson Harris Hicks, House
Johnson Mulkey Pennington Sullivan
Thrower Williams + Mr President = 12

The following Senators voted for Judge Flippin
Bunch, Campbell Chism Crowley
Duffie East Jenkins Kerr, Reagan
Sims, Stanford Lipton, Tobey Wilson = 14

Absent Senators Blackwell + Haycock

There being no election the Senate proceeded
to the eighth ballot

The following Senators voted for I J Hicks,
Armistead, Ferguson, Harris, Hicks,
House Johnson Mulkey Pennington
Sullivan Thrower Williams + Mr President = 12

The following Senators voted for Judge Flippin
Bunch Campbell Chism, Crowley
Duffie East Jenkins Kerr, Reagan
Sims Stanford Lipton Tobey Wilson = 14

The following Senators voted for Felix
Norman + Pindall = 2

Absent Senators Blackwell + Haycock.

Senator Kerr moved that the Secretary
be instructed to notify the House of
Representatives that the Senate will be
in readiness to meet with the House at
the hour of 12 o'clock today for the
inauguration of the Governor elect which
motion was carried.

Senator Johnson moved that the Senate
take a recess till 11-50 AM which
motion was lost.

Senator House moved that the election of
Enrolling & Engrossing clerk be postponed for
the present and that the Senate proceed to
the election of a Journal clerk
Motion carried.

Nominations being in order.

Senator Pindall nominated Jesse L. Cravens.

The Senate proceeded to ballot with the following result for Jesse L. Cravens

Senators Armistead Burch Campbell Chism
Crowley Duffie East Ferguson Harris Hicks
House Judkins Kerr, Mulkey, Norman
Pindall Sims Stanford Sullivan Lipton
Tobey Thrower Wilson + Mr President = 24

absent Senators Blackwell Haycock Johnson
Punnett Reagan Williams = 6

Jesse L. Cravens having received a majority of the votes was by the President declared duly elected - Journal clerk of the Senate.

Senator Hicks offered the following motion

Mr President

I move to refer so much of the Governors message as refers to the Auditors and Treasurers Office be referred to the committee on Auditors and Treasurers accounts. So much as refers to Public printing be referred to the Committee on Printing.

So much as refers to Finance be referred to committee on Finance

So much as refers to the Attorney Generals report be referred to the committee on Judiciary.

So much as refers to the lands interest of the State be referred to committee on State lands.

So much as refers to education School etc to Committee on Education.

So much as refers to the Penitentiary to the committee on Penitentiary.

So much as refers to the Militia to the Committee on Militia.

50
So much as refers to Rail Roads to the
Committee on Rail Roads

So much as refers to The Hot Springs
Reservation, United States Centennial etc,
be referred to Committee on Federal
Relations.

Signed, Hicks,

Which motion was by The Senate adopted

At 11. O'clock + 35 m Senator Judkins
moved to take a recess for fifteen minutes
which was carried.

At 11. O'clock + 55 m The Senate assembled
and The President called the body to order
the roll being called the following
Senators were found to be present.

Armistead Bunch Campbell Crowley
Duffie Ferguson Harris Hicks House
Johnson Kerr Mulkey Norman
Pennington Pendall Reagan Sims,
Stanford Sullivan Tipton Tobey
Williams Wilson + Mr President, = 24,

Absent Senators Blackwell, Chisum East,
Haycock Judkins Throver. = 6

A quorum being present The President
the Senate ready for business

A message received from The House of
Representatives by Chief Clerk Newton
as follows.

Hall of the House of Representatives
July 11th 1877

Mr President

I am instructed by The House
of Representatives to inform your Honorable
Body that The House will be ready to
receive the Senate in a body at 12 M
to day for the purpose of inaugurating
the Governor elect

Respectfully
Chas. W. Newton
Clerk

Senator Johnson moved that the election of Enrolling and Engrossing Clerk be postponed till tomorrow at 10 O'clock & 30 m
Motion Carried

Senator Pennington offered Senate Joint Resolution No (1)

Read first time. Rules suspended and read second time which upon motion of Senator Williams was referred to committee on Memorials with instructions to report tomorrow at 10 1/2 O'clock.

The President announced that the hour of 12 O'clock had arrived and if there was no objection the Senate would proceed in a body to the Hall of the House of Representatives to meet the House in joint session for the purpose of inauguration of the Governor elect.

The Senate preceded by its Officers proceeded in a body to the Hall of the House

The President of the Senate called the joint session to order and directed the Secretary to call the Roll of the Senate

The following Senators answered to their names

Armistead Bunch, Campbell, Chism, Crowley, Druffie, Ferguson, Harris, Hicks, Johnson, Judkins, Kerr, Mulkey, Norman, Pennington, Pindall, Reagan, Sims, Stanford, Sullivan, Lepton, Lober, Throver, Williams, Wilson, Mr President.
= 27

Absent Senators Blackwett, East & Haycock
= 3

The Clerk of the House proceeded to call the Roll of the House. The following members answering to their names

Allen, Andrews, Avera, Barnett, Best,
 Blantonship, Braley Brock, Brown, Cobb
 Coleman of Clark, Coleman of Phelps,
 Cothran Cubage, Cunningham Davis
 of Pope, Davis of Seary, Davidson
 Donohoe Duncan Dunnagan
 Durham Eagle Eberson Farr,
 Fisher Floyd Foster Gardner
 Gibson Gray Harrison of Saline,
 Harrison of Yell, Headlee Hearne
 Hervey, Hill Hunter, Jacks,
 Jennings, Jones, Lawhon Lee,
 Mainard Martin of Faulkner,
 Martin of Dallas, Mathews McHenry
 McKennon McKee Milor Mooney
 Morgan Morton Murphy, Pearce
 Peery, Peoples, Poyner Price Priddy
 Ratcliff, Reed, Rice Robison Sams
 Sawyer Smith Stanley Stinson
 Stubbs, Tate, Thomas Thomason
 Wofford Walker Warren of Crawford,
 Warren of Union, Watson Weaver,
 Wells, Wilson Williams of Hot Springs
 Williams of Mississippi Williamson, and
 Mr Speaker. = 86

Absent. Lickback & Whitson = 2

A quorum announced present

Then William R. Miller Governor elect
 delivered his inaugural address from
 the Speakers Stand.

Thereupon the
 oath of Office was administered to
 him by E. H. English Chief Justice of
 the State of Arkansas.

The oath of Office was also administered
 to L. J. Churchill as Treasurer of the State

The oath of office was also administered
 to W. F. Henderson as Attorney General of
 the State of Arkansas.

Senator Piddall moved that the joint
 session be dissolved, which was adopted

Thereupon the Senate repaired to the Senate Chamber.

The President called the Senate to order and the following Senators answered to their names

Armistead Bunch, Campbell Crowley
Duffie Ferguson, Harris, Hicks,
House, Johnson, Judkins, Kerr,
Mulkey, Norman, Pennington, Pindall
Reagan Sims, Stanford Sullivan, Lipton
Lobey, Thrower, Wilson + Mr President = 25

Absent, Senators Blackwell Chas. East,
Haycock, + Williams = 4

A quorum being present, Senator Johnson moved that the Senate do now adjourn till 10 o'clock tomorrow which was carried

James K. Jones
President

attest:

Jacob Tholick
Secretary

Senate Chamber
 Little Rock Jan'y 12th 1877

The Senate met pursuant to adjournment
 at 10 o'clock A.M.

The Roll was called and the following
 Senators answered to their names. viz:

Armistead, Bunch, Campbell Chism
 Crowley Duffie East, Ferguson Harris
 Hicks, House Judkins, Kerr, Mulkey,
 Norman, Pennington, Pindoll, Reagan, Sims
 Stanford Sullivan Tepton Tobey Williams
 Wilson + Mr President = 26

Absent. Senators Haycock Johnson and
 Throver = 3

A quorum announced present.

Prayer by Rev S H Buchanan, Chaplain.

The Journal of the preceding day was
 then read by The Secretary.

Senator Chism moved to dispense with
 the reading of the ballots for Enrolling
 and Engrossing Clerk. Carried.

On motion of Senator Williams the
 reading of the Roll of the House in joint
 session was dispensed with.

Senator Johnson asked and obtained
 leave to answer to his name

On motion of Senator Norman the Hon
 Hugh McCallister was invited to a seat
 on the floor of the Senate Chamber.

The President announced Senators
 Pennington Wilson and Harris as joint
 Committee on the part of the Senate on
 joint Resolution introduced by Senator
 Pennington on yesterday relative to the
 Hot Springs Reservation

The President announced Senators Campbell East and Crowley as joint committee on Enrolled Bills, under Rule Less

On motion of senator East the Rules were suspended and the senate proceed to the election of an Enrolling and Engrossing clerk

The Roll being called the following Senators voted for I J Hicks

Armistead Ferguson Harris Hicks House, Johnson Mulkey Dunnington Sullivan Thrower Williams + Mr President = 12

The following Senators voted for Judge Flippin Bunch Campbell Chism Crowley Duffie East Jenkins Kerr Reagan Sims Stanford Lipton + Wilson = 14

The following Senators voted for A W Files Norman and Pindall = 2

Absent Senator Haycock.

No one having received a majority the President announced there was no election

Senator Ferguson placed in nomination for Enrolling and Engrossing clerk the name of Miss Sophia Brease. Whereupon the Senate proceeded to the second ballot.

The Roll being called the following Senators voted for I J Hicks.

Harris Hicks House. Mulkey Sullivan Thrower and Mr. President. = 7

The following Senators voted for Judge Flippin

Bunch Campbell Crowley Duffie East Jenkins Kerr Reagan Sims Stanford Lipton Loberg + Wilson = 13

The following Senators voted for A W Files

Norman and Pindall = 2

The following Senators voted for Miss Sophia
Greene

Armistead ~~Campbell~~ Chism Fergusson
Johnson Pennington and Williams = 6

Absent Senator Haycock.

No one having received a majority the
President announced no election.

Senator Hicks moved that the election
of Enrolling and Engrossing Clerk be
postponed till next Monday. motion
lost. Whereupon the Senate proceeded
to the third ballot.

The Roll being called the following Senators
voted for L J Hicks

Harris Hicks House
Mulkey Sullivan & Mr President = 6

The following Senators voted for Judge Flippin
Bunch Campbell Crowley Duffie East
Jenkins Kerr Reagan Stanford Tipton
Tobey & Wilson = 12

The following Senators voted for A W Fife
Norman Pindall and Throver = 3

The following Senators voted for Miss Sophia
Greene.

Armistead Chism Fergusson
Johnson Pennington, Sims & Williams = 7

Absent Senator Haycock.

No one having received a majority the
President announced no election.

Senator Johnson moved that the
Sergeant at Arms be instructed to preserve
one side of the gallery for the occupancy
of ladies and their escorts. Motion
adopted.

The Senate then proceed to the fourth ballot for Enrolling and Engrossing Clerk

The Roll being called the following Senators voted for I J Hicks

Harris Hicks House
Mulkey Sullivan + Mr President = 6

The following Senators voted for Judge Flippin
Bunch Campbell Crowley Duffie East
Judkins Kerr Reagan Stanford Lipton
Lobey Wilson = 12

The following Senators voted for A W Filer
Johnson Norman Pindall + Throver = 4

The following Senators voted for Miss Sophia
Crease

Armistead Chism Ferguson
Pennyton Sims + Williams = 6

Absent. Senator Haycock

Senator Johnson moved that Senator Haycock be excused indefinitely on account of illness, motion carried,

Senator East nominated L Q Atkins for Enrolling and Engrossing Clerk

Senator House moved to postpone the election of Enrolling and Engrossing clerk till Monday at 11 o'clock. Motion lost,

The Senate then proceeded to the fifth ballot for Enrolling and Engrossing clerk

The Roll being called the following Senators voted for I J Hicks,

Hicks House + Mulkey + Sullivan = 4

The following Senators voted for Judge Flippin
Armistead Bunch Campbell Crowley Duffie
East Harris Judkins Kerr, Reagan Stanford
Lipton Lobey + Wilson = 14

The following Senators voted for A W Filer,

Johnson Norman Pundall + Throver = 4

The following Senators voted for Miss Sophia Krease

John Ferguson Pennington
Dins Williams and Mr President = 6

Absent Senator Haycock

Senator Hicks withdrew the name of
J J Hicks.

There being no election the
Senate proceeded to the sixth ballot.

The Roll being called The following
Senators voted for Judge Fleppew.

Bunch Campbell Crowley East Harris
House Judkins Kerr Reagan Stanford
Lipton Lobey + Wilson = 13

The following Senators voted for A W Files
Duffe Norman Pundall Sullivan
and Throver = 5

The following Senators voted for Miss
Sophia Krease

Armistead Chesm. Ferguson
Hicks Johnson Mulkey Pennington,
Dins Williams + Mr President = 10

Absent Senator Haycock.

There being no election the Senate
proceeded to the seventh ballot.

The Roll being called The following
Senators voted for Judge Fleppew

Bunch Campbell Crowley East Harris
Judkins Kerr Reagan Stanford Sullivan
Lipton Lobey + Wilson = 13

The following Senators voted for A W
Files

Duffe Norman Pundall + Throver
= 4

The following Senators voted for Miss Sophia

Crease, = Armistead Chism Ferguson
Hicks House Johnson Mulkey Pennington
Sims, Williams & Mr President, = 11

Absent Senator Haycock

There being no election The Senate proceeded
to the eighth ballot.

The Roll being called the following Senators
voted for Judge Flippin

Bunch Campbell
Crowley Duffie East Harris Jenkins
Kerr Reagan Stanford Lipton Lobey
and Wilson = 13

The following Senators voted for A W Fils,
House Norman Puddall Sullivan & Throver 5

The following Senators voted for Miss Sophia
Crease

Armistead Chism Ferguson
Hicks Johnson Mulkey Pennington Sims
Williams & Mr President, = 10

Absent Senator Haycock

There being no election The Senate proceeded
to the ninth ballot.

The Roll being called the following
Senators voted for Judge Flippin.

Armistead Bunch Campbell Crowley
Duffie East Harris House Jenkins Kerr
Reagan Stanford Sullivan Lipton Lobey
& Wilson = 16

The following Senators voted for A W Fils
Norman Puddall & Throver = 3

The following Senators voted for Miss Sophia
Crease

Chism Ferguson Hicks Johnson
Mulkey Pennington Sims Williams and
Mr President, = 9

Absent Senator Haycock

W B Shippen having received a majority of all the votes was by the President declared duly elected Consulting & Engraving Clerk of the Senate for the present session

On motion of Senator House the Rules were suspended and Senator House introduced Senate Bill No. (1)

S. B.
No. 1.

An Act to be entitled, An Act to legalize the levying of Taxes in the unincorporated Town of Searcy for the year 1876

The Bill was read the first time and on motion of Senator Crowley the Rules were suspended and the Bill was read the second time and referred to the Judiciary committee.

S to R
A 2

Senate concurrent Resolution No (2) relative to the re-arrangement of the Judicial Circuits was taken up and read third time and on motion of Senator Hicks the resolution was amended by striking out the number of House Committee leaving the House Committee blank and the resolution as amended was adopted.

Senator Johnson Chairman of Committee on Memorials reported as follows

Mr President

Your committee to whom was referred Senate joint resolution No. 1. Beg leave to report that they have had the same under consideration and ask that the resolution be adopted

Johnson
Chairman of
Committee.

By direction of The President joint resolution no (1) relating to supposed intentions of United States Troops at Hot Springs Ark. was taken up and read third time, and on motion was adopted by the following vote Senators voting in the affirmative were Messrs Armistead Burch Campbell Chism Crowley Duffie Ferguson Harris Hicks House Johnson Judkins Kerr Mulkey Roman Pennington Findall Sims Stanford Sullivan Lepton Lobey Thrower Williams Wilson + Mr President. = 26

Absent Senators East, Haycock + Reagan 3

Senator Campbell gave the following notice

Mr President
I hereby give notice that I will at an early day introduce a Bill to change and amend the Road Law of the State.

John Campbell
of Searcy

Senator Duffie gave the following notice.

Mr President
I hereby give notice that I will at an early day introduce a Joint Resolution proposing an amendment to sections one and two of Article nine of the Constitution of this State upon the subject of Exemptions

Signed

Duffie
of Dallas.

Senator Ferguson gave the following notice

Mr President
Notice is hereby given that I will next week introduce a bill to amend the law forbidding firing the woods or prairies during the fall and winter seasons.

Also a bill to prevent

driving stock out of their range by parties that do not own them.

Also a Bill defining the manner of shipping live stock from this State either by Rail Road or Steam Boat,

Also a Bill to amend the Dog Law
Signed
Ferguson
of Arkansas,

Senator Stanford gave the following notice

Mr President
I hereby wish to give notice that at an early day I will introduce a Bill to amend Section 2359 of Gaults Digest

Also a Bill to amend an act of the last General Assembly entitled "an act to protect the raising of sheep."

Signed
A L Stanford
of Phelps

Senator Norman gave the following notice

Mr President
I give notice that I will at an early day introduce a Bill for an act to define and punish vagrancy

Signed
Norman
of Ashley,

Senator House gave the following notice

Notice is hereby given that at an early day I will introduce a bill to be entitled an act to amend Section 4486 of Gaults Digest

Signed
House
of White

Senator Armistead gave the following notice

Mr President

I desire to give notice that I will at an early day introduce a bill repealing an act entitled an act to encourage sheep raising in the State, approved Dec 14th 1875-

Signed

Armistead
of Franklin

Senator Jenkins gave the following notice

Mr President

I give notice that at an early day I will introduce a bill to amend the Revenue Laws of the State

Signed

Jenkins
of Lawrence.

Senator Duffie gave the following notice

Mr President

I hereby give notice that I will at an early day introduce a bill to be entitled an act to amend an act to regulate the letting of public contracts

Signed

Duffie
of Dallas.

Senator Johnson gave the following notice

Mr President

I give notice that I will at an early day introduce a proposed amendment to Section 28 Article 7 of the Constitution of the State of Arkansas in relation to vagrancy

Signed

Johnson
of Miller

S. J. R.
No. 2

Senator Pundall introduced joint resolution no (2) to inquire into the indebtedness of the State which was read first time

Senator Williams moved that the resolution be made the special order for next Wednesday at 11 o'clock and that 250 copies be printed for the use of the Senate. adopted.

Senator Wilson gave the following notice

Mr President

I hereby give notice that on tomorrow I will introduce a joint resolution protesting against the removal of the Sioux Indians and other wild tribes of the Indian Territory by the General Government.

Signed

Wilson

of Washington

Senator Shrover moved that the Secretary be instructed to furnish the members with ten daily News Papers or their equivalent in weeklys and thirty cents postage each

Senator Duffie moved to amend so as to read that each member shall make his own selection which motion as amended was adopted.

Senator Hicks offered the following resolution

Resolved. - That the committee on Printing be instructed to contract with some responsible person to do such printing as may be ordered by the Senate from time to time for the present session.

Signed

Hicks

of Lonoke

Senator Hicks moved to refer the resolution to the Judiciary Committee with instruction to report by bill or otherwise which motion was adopted.

The oath of Office was duly administered to Jesse L. Cravens Journal Clerk elect and to W. B. Flippin Enrolling and Engrossing Clerk elect by Hon. John R. Eakin Judge of the Pulaski Chancery Court.

Senator Mulkey offered the following resolution

Resolved by the Senate of the State of Arkansas, That, That portion of Governor Miller's inaugural address referring to our colored population in which he says, That should occasion arise he will use the whole power of the Government at his command to protect them alike with all good citizens of the State in all their legal and constitutional rights, - receives our hearty support and endorsement.

Which was adopted.

S B
no 2 Senator Williams introduced Senate bill No 2. to be entitled an act authorizing the change or abandonment of location by Rail Road Corporations, which was read the first time.

S B
no 3 Senator Williams introduced Senate bill No. 3, to be entitled an act to fill the vacancy now existing in the board of Rail Road Commissioners. which was read the first time.

On motion the Senate adjourned till tomorrow morning at 10.00'clock.

Attest.

Jacob F. Smith
Secretary.

James R. Jones
President of the Senate

Senati Chamber

Little Rock January 13th 1877

The Senate met pursuant to adjournment at 10 O'clock A.M.

The Roll was called by the Secretary and the following Senators answered to their names, viz:

Armistead Bunch Campbell Chism
Crosley Duffie Ferguson Harris
Hicks House Judkins Kerr Mulkey
Norman Pennington Pundall Reagan
Sims Stanford Sullivan Lipton Tobey
Williams Wilson and Mr President, = 25

Absent Senators East Haycock Johnson
and Throver, = 4

A quorum was announced as being present.

Prayer by Rev S H Buchanan Chaplain

The Journal of the Senate for the preceding day was then read by the Secretary ~~and approved.~~

Senator Crosley moved to dispense with the reading of the ballots for Enrolling and Engrossing Clerk which was adopted and the Journal as read approved.

Senator Williams gave the following notice

Mr President.

At an early day I will introduce a bill providing for the proper custody of the field notes of the United States Survey of public lands now in the Auditors Office, and to authorize Counties to procure and keep copies of the same in the Offices of County Clerks.

Signed

Williams

of Pulaski.

Senator Norman gave the following notice

Mr President
~~That I will on Monday~~ I hereby give notice
 That I will on Monday next introduce
 a Bill for an act to maintain a system
 of free common schools in the State of
 Arkansas.

Signed
 Norman
 of Ashley.

Senator Sims gave the following notice.

Mr President
 I give notice that
 I shall introduce a Resolution complimentary
 to Mr Dodge and Dr Lawrence for their services
 during the Centennial, as commissioners
 for the State of Arkansas. at the proper
 time

Also a resolution of instruction to our
 delegation in Congress on Constitutional con-
 struction now or hereafter

Signed
 L H Sims
 of Independence.

Senator Crowley gave the following notice

Mr President.
 I desire to give
 notice that I will at an early day introduce
 a Bill for the relief of the tax payers of
 Green County.

Signed
 Crowley
 of Green.

Senator Bunch gave the following notice.

Mr President.
 I give notice that
 on Monday next I will introduce a Bill
 to repeal Section two Thousand three
 hundred and eighteen (2318) of Gulf Digest
 Bunch of Carroll

Senator Harris gave the following notice

Mr President.

I herewith give notice that I will in a few days introduce a Bill to amend an act establishing a Court of Common Pleas in the counties of Conway, Faulkner, Garland, Lee Mississippi, Prairie and Jackson

Signed

B Harris

of Croft.

Senator Hicks gave the following notice

Mr President.

I give notice that I will introduce a Bill to secure widows and orphans the benefit of the constitutional exemptions

Signed

Hicks.

of Lonoke.

Senator Tobey gave the following notice

Mr. President.

Notice is hereby given that I will some day next week offer two separate Bills to amend the road laws of this State

Signed

Tobey.

of Pope.

Senator Johnson gave the following notice

Mr President

I hereby give notice that I will at an early day introduce a Bill to be entitled an act for the relief of J S Griffin & Sons.

Signed Johnson

of Miller

Senator Judkins gave the following notice

09
Mr President

I give notice that I will at an early day offer a proposed amendment to Article 16. of the Constitution of the State

Signed

Jenkins

of Lawrence

Senator Stanford gave the following notice

Mr President

I hereby give notice that at an early day I will introduce a Bill to amend Section Sixty of the Act to maintain a system of free common schools for the State of Arkansas.

Signed

A. S. Stanford.

of Phillips

Senator Bunch gave notice as follows.

Mr President

I hereby give notice that on Monday next or soon thereafter I will introduce a Bill to amend Sections 3673, & 3674, of Grant's Digest.

Signed

Bunch

of Carroll.

Senator Campbell offered the following resolution.

Resolved. - That so much of the Governor's message as relates to the Insane Asylum be referred to a concurrent committee consisting of three members of the Senate and five of the House.

And so much as refers to assessors be referred to the committee on Finance.

And so much as relates to County and Township officers, be referred to the committee on the Judiciary

On motion of Senator Williams the resolution was adopted.

Senator Wilson offered joint Resolution protesting against removal of Sioux Indians and other wild tribes.

The Resolution was read first time and on motion of Senator Williams the Rules were suspended and the Resolution read a second time.

Senator Johnson moved that the joint Resolution be made the special order for Monday at 11 o'clock. motion adopted.

Senator Campbell moved that the Secretary be instructed to furnish each member fifteen cents in postage daily instead of thirty cents as ordered on yesterday the motion was adopted.

Senator Harris offered the following

Resolved by the Senate of the State of Arkansas:— That a committee of five be appointed to inquire into the expediency of reducing the salaries of County and Probate Judges, and that the committee be instructed to report by bill or otherwise.

On motion of Senator Bunch Senator Pindall was added to the committee on Rail Roads and other Internal improvements.

Senator Armistead offered the following Resolution

Resolved, — That the Secretary of the Senate be instructed to ascertain and inform the Senate the reasons why the Constitutions of 1874 are withheld from the General Assembly.

Senator House moved to amend the resolution by substituting for the Secretary a committee of three with Senator Armistead as chairman.

The amendment was adopted and the resolution as amended was adopted.

S. J. R.
No. 4

Senator Duffie offered joint Resolution No. 4 proposing amendment to the constitution.

of the State of Arkansas. and on motion of Senator Pennington the Rules were suspended and the resolution read a second time.

Senator Williams moved to amend by inserting after word vendor "or a purchaser from him" with notice to apply also to second section

Senator Duffie moved to refer the resolution and amendment to committee on the Judiciary motion carried.

Senator Norman presented the following report

Mr President

I have been directed by the Judiciary committee to report to the Senate that it has had under consideration Senate Bill No. 1. "An act to be entitled an act to legalize the levying of taxes in the incorporated town of Searcy for the year 1876."

The object of the bill is to legalize the levying of taxes in said town, the levy having been made after the time prescribed by law. The matter is of purely local interest, and as the parties to be affected by it, have had due and legal notice of the intended presentation of the Bill and no objection thereto having been offered the committee unanimously recommend its passage

Signed

Norman

for the committee.

The report of the committee was adopted, and the President directed the third reading of Senate Bill No. 1. "An act to be entitled an act to legalize the levying of taxes in incorporated town of Searcy for the year 1876."

Thereupon the Bill was read the third time and passed by the following vote. The Senators voting in the affirmative were Messrs Armistead Bunch Campbell, Chisum Crowder Duffie Ferguson Harris Hicks House Johnson Jenkins Kerr Mulkey Norman Pennington

S B
No 1

Purdall Reagan Sims Stanford Sullivan
 Lepton Loberg Thrower Williams Wilson
 and Mr President = 27

In the negative none.

Absent Senators East & Haycock,

Senator Purdall chairman of Judiciary
 committee made the following report

Mr President

Your committee on the
 Judiciary to whom was referred the question
 as to what time an election for United
 States Senator should take place under
 the act of Congress fixing the time
 and manner of holding such election
 have had the subject under consideration
 and direct me to report. That the
 term of office of Powell Clayton Senator
 in Congress from this State will expire
 on the 3^d of March next. The act of
 Congress provides that the Legislature of
 each State which shall be chosen next
 preceeding the expiration of the time for
 which any Senator was elected to repre-
 sent said State in Congress, shall on
 the second Tuesday after the meeting and
 organization thereof proceed to elect a
 Senator in Congress in place of such Senator
 so going out of office.

Both Houses of the
 General Assembly met on the 8th day the
 second Monday in January. A quorum of
 each House was present and qualified and
 on that day the Senate elected a President
 Secretary and assistant Secretary, the
 House elected a Speaker, Clerk and
 assistant Clerk, all these officers qualified
 and entered upon the discharge of their
 respective duties on that day.

This is all that is essential to an
 organization of the General Assembly.

Your committee are of the opinion that
 Tuesday the 16th day of January 1877 is
 the time fixed by the act of Congress
 referred to for the election of a Senator

in Congress from this State. it being the second Tuesday after the meeting and organization of the Legislature elected next preceeding the expiration of the time of Powell Clayton a Senator in Congress from this State

Signed

X J Pindall
Chairman

Senator Williams moved that the report of the committee be adopted, motion carried

Senator Jenkins introduced Senate Bill No 4

S B
No 4 An Act to amend the Revenue laws of the State. Approved Nov 17th 1875.

The Bill was read the first time

Senator House moved to suspend the Rule and read the Bill second time.
motion lost.

Senator Stanford introduced Senate Bill No. 5-

S B
No 5- An Act to amend an act entitled "An act to protect and encourage sheep raising in this State."

The Bill was read the first time

A message from the House of Representatives through its Chief Clerk Thos W Newton was received as follows

Hall House of Representatives
January 13th 1877

Mr President

I am instructed by the House of Representatives to inform your honorable body of the passage of House Joint Resolution No. 1. for the appointment of a joint committee to redistrict the State for judicial purposes.
Thos W Newton
Clerk

Senator Johnson moved to suspend the Rules and read Senate Bill No. 5 Second time, motion lost.

Senate Bill No. (2) was read second time and on motion of Senator Pindall was referred to the committee on Rail Roads.

Senate Bill no. (3) was read second time and on motion of Senator Pindall was referred to the committee on Finance.

H J R
No 1

On motion of Senator Pindall the senate passed to the consideration of House Joint Resolution No. (1) For the appointment of a joint committee to redistrict the State for judicial purposes.

Resolution read first time and on motion of Senator Pindall was adopted.

Under Senator Armistead resolution in reference to procuring copies of the constitution of 1874 the President announced the following committee.

Senators Armistead
Norman and House

Senator Sims presented the following report.

(Your committee to whom it was referred to report resolutions expressive of the sentiments of the members of the Senate respecting the death of the late Senator James M Loughborough, would respectfully recommend the adoption of the following resolutions.

1st Be it resolved by the Senate of the State of Arkansas, That in the death of Col James M Loughborough the Senate has lost one of its ablest and most useful members. the State an enlightened, valuable and devoted public ~~servant~~ officer, and society an upright worthy and honorable member; and that his services as Senator deserves to be remembered for the zeal

13
which they manifested for the advancement and common welfare of the people of the State, and for the ability which they displayed in the promotion of the public good.

2nd. Be it further resolved, that the members of the Senate tender to the family of the deceased their sincere sympathy in their present affliction..

3^d Be it further Resolved, That the secretary of the Senate be directed to send a certified copy of these resolutions to the family of the deceased.

On motion of Senator Johnson the resolutions were adopted by the following vote.

The Senators voting in the affirmative were as follows

Armistead, Bunch, Campbell
Chism, Crowley, Duffie, East, Ferguson
Harris, Hicks, House, Johnson, Judkins
Kerr, Mulkey, Norman, Pennington, Puddall
Reagan, Sims, Stanford Sullivan, Tipton
Lobey, Throver, Williams, Wilson and
Mr President, = 28,

Absent Senator Haycock.

Senators East and Throver answered to their names

Senator Campbell moved that Senators and Officers wear the usual badge of mourning for thirty days. adopted.

On motion of Senator Norman the Senate adjourned.

Attest

Jacob Trulick
Secretary

James K. Jones
President.

Senate Chamber
 Little Rock January 14th 1877.

The Senate met pursuant to adjournment
 at 10 o'clock A.M.

The Roll being called by the
 Secretary of the Senate the following
 Senators answered to their names, viz:
 Armstrong Blackwell Bunch Campbell
 Chism, Crowley Duffie East, Ferguson
 Hampton, Harris, Hicks House Johnson
 Judkins, Kerr, Mulkey, Norman, Pennington
 Pundall, Reagan, Sims, Stanford, Sullivan
 Lipton, Tobey, Thrower, Wilson & Mr
 President. = 29.

Absent, Senators Haycock and Williams
 = 2.

A quorum was found to be present.

Prayer by Rev S. H. Buchanan Chaplain.

The Journal of the Senate for Saturday
 January 13th 1877 was then read by the
 Secretary of the Senate and approved.

Senator Bunch announced the arrival of
 the Hon John R Hampton Senator elect from
 the eighteenth senatorial district.

Senator Hampton appeared at the bar of
 the Senate and qualified according to law
 by taking and subscribing the required oath
 administered by Hon John R Eakin Judge
 of the Pulaski Chancery Court.

Senator House asked leave of absence for
 Senator Judkins for ^{on account of sickness} today which was granted.

Senator Williams answered to his name.

Senator House gave the following notice

Mr President.

Notice is hereby given

that at an early day I will introduce an amendment to article sixteen of the Constitution of the State of Arkansas.

Signed

House

of White.

Senator Wilson gave the following notice

Mr President,

I hereby give notice that on tomorrow or at an early day thereafter I will ask leave to introduce a bill to amend sections 163 and 164 of Gratts Digest.

Signed,

Wilson

of Washington.

Senator Norman gave the following notice

Mr President,

I will at an early day introduce a bill for an Act in relation to marriage.

Signed

Norman

of Ashley.

Senator Lipton gave the following notice.

Mr President,

I hereby give notice that I will at an early day introduce a bill to be entitled an Act to amend an Act to amend an ^{act} establishing fees, approved Dec 13th 1875.

Signed

Lipton

of Izard.

Senator Rudall gave notice as follows.

Mr President

I will at an early day introduce a bill to extend the time for presenting district school warrants issued before the first day of September 1876, to

the County Treasurer for protest and registration

Signed
Pendall
of Desha.

Senator Crowley gave notice as follows.

Mr President
I hereby give notice that
I will at an early day introduce
a bill in reference to school lands
Signed
Crowley
of Green.

Senator Chism gave the following notice

Mr President
I hereby give notice that
I will on tomorrow introduce a bill
to be entitled an act to authorize the
Commissioner of State lands to cancel
deeds in certain cases.
Signed
Chism
of Logan

Senator Harris gave the following notice.

Mr President,
I hereby give notice that
at an early day I will introduce a
bill to amend Section 5052, Chapter 116,
of Gratts Digest, approved April 28th 1873,
and the 5th clause of Section 5054 of the
same Chapter and act.
"Signed"
Harris
of Poinsett.

Senator Hicks gave the following notice

Mr President
I give notice that I will
on tomorrow or some subsequent day
introduce an amendment to the Constitution

13
forbidding the levy of a tax to pay certain Bonds.

Signed

Hicks

of Loneoke.

On motion of Senator Pridall The Secretary was instructed to procure a Bible for the use of The Senate.

Senator Armistead Chairman of Special Committee to enquire why copies of Constitution of 1874 were not furnished The General Assembly reported verbally that the copies would be furnished in a few days. — The report was received and the Committee discharged.

Senator Hicks moved that in compliance to the resolution of Senator Campbell the Sergeant at Arms be instructed to furnish the members and officers with the necessary crêpe.

Motion adopted.

S. B.
No. 6. Senator Hornum introduced Senate Bill No. 6 entitled an Act to maintain a system of free common schools in the State of Arkansas. The Bill was read the first time.

S. B.
No. 7. Senator Bunch introduced Senate Bill No. (7) entitled an act to repeal Section 2318 of Gaule's Digest. Bill read the first time.

S. B.
No. 8. Senator Duffie introduced Senate Bill No. 8, entitled an Act to amend an act to regulate the letting of public contracts, approved November 28th 1874. The bill was read the first time, and,

On motion of Senator Tobey Two hundred and fifty copies were ordered to be printed.

S. B.
No. 9. Senator House introduced Senate Bill No. 9, entitled an act to amend Section 4686, of Gaule's Digest. The Bill was read the first time.

Senator Johnson moved That The rules be suspended

and The Bill be read a second time,
motion lost.

S/B
no 4

Senate Bill no. 4 was taken up and read the second time and on motion of Senator Kerr, was referred to the committee on Finance.

S/B
no 5

Senate Bill no. 5, was taken up and read the second time.

Senator Storman moved to refer the Bill to a committee of the whole and that the Senate do now go into committee of the whole for the purpose of discussing the Bill.

Senator Pindall moved as a substitute that the Bill be referred to the committee on Finance which motion was carried.

At 11 O'clock A.M. Senate joint Resolution No. (3) was taken up under Special Order when Senator Pindall moved that the Resolution be put upon the third and last reading and passed. There being no objection the resolution was read the third time and adopted by the following vote. The senators voting in the affirmative were Messrs.

Armistead, Blackwell, Bunch Campbell, Chism, Crowley, Duffie Ferguson, Hampton, Harris, Hicks, Johnson Kerr, Mulkey, Storman, Pennington Pindall Reagan, Sims, Stanford, Sullivan Lipton Tobey Williams, Wilson and Mr President, = 26

Negative none,
Absent, Senators East, Haycock, House Jenkins and Throver, = 5

Senator Sims asked and obtained leave to introduce concurrent Resolution as follows

Resolved: by The Senate of Arkansas The House of Representatives concurring.

That: Whereas the American States of North America did on the

4th of July 1776 in a united convention of said States declare themselves free and independant, dissolving all connection between them and the Government of Great Britain and did make effectual the said declaration.

And Whereas; The 4th of July 1876 being the fulfillment of a century of Independance of said States, The said United States ~~of~~ America did stipulate that a National Exhibition should be held at Philadelphia in the year 1876 free to all the world to test our National improvement in all branches of industry, commerce and the fine arts, and to compare our progress with other Nations of the world and to prove and demonstrate that man is capable of self government;

Did appoint Dr Lawrence and George E Dodge commissioners for the State of Arkansas, and that it is hereby declared that they are entitled to our unqualified approval for their capacity and attention in the premises and in a marked degree for the artistic arrangement of the fruits of our soil, the timber of our forests, the coal and mineral deposits that abound in the State, that at a future day will yield a vast revenue to the State and to individual enterprise.

Resolved; That we congratulate said commissioners for the numerous complimentary notices of the American Press, paid them and the selection of articles from our State so skillfully presented by their educated taste. and that we are proud of, and highly commend their refined urbanity to all, which is universally admitted by visitors from abroad and our own countrymen.

Senator ^{Howe} moved to amend so as to make the Resolution a joint resolution, motion lost, and The Resolution was adopted.

Senator Campbell asked and obtained leave to introduce a concurrent resolution that the standing committee on Roads and highways be made a joint committee.

The resolution was read and adopted.

The President of the Senate announced
as joint committee on Judicial Circuits.
Senators Williams, Kerr, Ferguson, Jenkins
and Duffie.

On motion of Senator Hicks the Senate
adjourned.

James H. Jones
President.

Attest:

Jacob Probst
Sec

Senate Chamber

Little Rock January 16th 1877

The Senate met pursuant to adjournment
at 10:00'clock AM

The Roll being called
by the Secretary the following Senators answered
to their names, viz:

Armistead, Blackwell, Bunch
Campbell Chism, Crowley, Duffie East,
Ferguson, Hampton, Harris, Haycock, Hicks
House Johnson, Judkins, Kerr, Mulkey
Norman Pennington, Pindall Reagan Sims
Stanford Sullivan, Throver, Tipton Tobey
Williams Wilson and Mr President. = 31

A quorum was announced present.

Prayer by Rev S H Buchanan Chaplain
of the Senate

The Journal of the preceding day
was read by the Secretary and approved

Senator Johnson presented petition of citizens of
Roan Township in the County of Lafayette, protesting
against the passage of a law prohibiting the selling
of Ardent Spirits in said Township.

Senator Hicks presented a petition from citizens
of Lonoke County asking the establishment of
a Court of Common Pleas in said County and
moved that the petition be laid on the table
subject to call. Motion carried.

Senator Mulkey gave the following notice

Mr President

I hereby give notice that I
shall at an early day introduce a bill
enacting an additional clause to Section
twelve of an act entitled an act to regulate
the sale of Public lands belonging to the State
in certain cases, approved Dec 18th 1875

Signed

M J Mulkey
of Howard

Senator East gave the following notice,

Mr President

Notice is hereby given that I will at an early day introduce a bill to regulate the business of Banking and brokerage.

Signed

East

of Pike,

Senator Norman gave the following notice

Mr President

I give notice that I will at an early day introduce a bill for an act in relation to Dower.

Signed

Norman

of Ashley.

Senator Bunch gave the following notice

Mr President

I give notice that I will on Wednesday next or at some future day introduce a bill to repeal an act entitled an act to change and define the boundary line between the Counties of Marion & Boone approved Dec 9th 1875.

Signed

Bunch

of Carroll

Senator Duffie gave the following notice.

Mr President,

Notice is hereby given that I will at an early day introduce a bill to be entitled an act to amend Section 1699 of Gault's Digest.

Also a bill to amend the Revenue law of this State.

Signed

Duffie

of Dallas.

Senator Throver offered the following resolution

Resolved, - That rule 28th (of the Senate rules) relating to appointment of standing committees be amended by adding after the words "a committee on corporations" the words a committee on state and benevolent institutions. Which on motion of Senator Throver was adopted.

Senator Haycock asked and obtained leave of absence for Senator Stanford until Monday next on account of sickness in his family.

Senator Hampton offered the following resolution

Resolved by the Senate. - That rule no 35 requiring one days notice at least shall be given of an intended introduction of bills &c be and the same is hereby abolished as tending only to an unnecessary consumption of time and incumbrance of the journals. which was on motion adopted.

S B
No 10 Senator Norman introduced Senate Bill No. 10, entitled an act to regulate marriages which was read the first time and placed on the calendar,

S B
No. 11 Senator Harris introduced Senate Bill no 11 Entitled an act to amend section 3 of act no 61 of the adjourned session of 1875. entitled an act to establish a court of common Pleas in the counties therein named. which was read the first time and placed on the calendar.

S B
No. 12 Senator Haycock introduced Senate Bill No 12 Entitled an act to authorize the several counties in this State to fund the outstanding indebtedness, evidenced by bonds of said counties heretofore issued. The Bill was read the first time and placed on the calendar

S B
No 13 Senator Ferguson introduced Senate Bill no 13 Entitled an act to prevent the driving of stock out of their usual range by persons not owning or entitled to control The same The bill was read first time and placed on calendar

S B Senator Willson introduced Senate Bill
No 14. Entitled an act to amend sections
163 and 164 of Gautts Digest.
No 14 The Bill was read first time and placed
on calendar.

S B Senator Chism introduced Senate Bill no 15
Entitled an act authorizing the commis-
sioner of State lands to cancel deeds in
No 15 certain cases and for other purposes
Bill read first time and placed on
calendar.

S B Senator Crowley introduced Senate Bill
No. 16. Entitled "an act entitled an act
to remit the taxes of Green County for
No 16 the year 1875
Bill read first time and
placed on the calendar.

S B Senator Duffie introduced Senate Bill No. 17.
Entitled an act to amend Section 1699
of Gautts Digest.
No. 17 Bill read first time and
placed on the calendar.

The President submitted for the consideration
of the Senate a communication from Mrs
Loughborough as follows.

To The Honorable body the Senate
of Arkansas.

Gentlemen,

Will you
permit me to whom the name and reputation
of your deceased Senator was very dear, to
return you her earnest thanks for the
kindly memory which prompted the resolution
of regret and sympathy today handed me
by your delegate.

His was a life of earnest
labor, and more powerful than any reward
and very grateful to his heart was the
appreciation of those amid whom the very
best service of his life, and talent was given.

He lies silent now and powerless, but to me - to whom is left in trust his good name and his dearly beloved children - your words have come with strong and thrilling power.

As I would have died for him, so shall I live, to train his children and to hold in my heart every word of kindness, and gentle token offered in memory of his character and his spotless name.

So in the future your resolutions hanging in my room will represent to my children that though their noble Father was no more here to impart friendship, or for true men held him in esteem, and loving regard and the Senators of 1877 set forth in their assembly the impression his presence had made upon their hearts.

Gentlemen your sympathy is very welcome to his children and myself.

May God and your fellow men deal gently and tenderly in future with you and yours, as you have dealt with his family and his true life's memory.

Again let me express my gratitude for your kindness. While with
Great Respect,

Mrs Jas. M. Soughborough.

Senator Hicks moved that the Communication be spread upon the Journal which motion was adopted.

S B Senator Williams introduced Senate Bill No 18
No 18 Entitled an act to protect employees of Rail
Road Corporations and persons who have stock
Killed in the operation of Rail Roads &c.
Bill was read first time and placed on the
Calendar.

On motion of Senator House How
B J Brown was invited to a seat on the
floor of the Senate.

On Motion of Senator Williams
Ex Senator Fletcher was invited to a seat on the
floor of the Senate.

S B Senate Bill No (6) was taken up and read
No 6 the second time and on motion of

30
Senator Hamblow was referred to the committee on Education. 25th December

A message was received from the House of Representatives by its Chief Clerk Newton as follows.

Hall House of Representatives
January 16th 1877.

Mr President.

I am instructed by the House of Representatives to inform your honorable body of the appointment by the House of the following named members of the House as a joint committee to act with like committee on the part of the Senate under House joint resolution No. 1 Entitled Resolution for the appointment of a joint committee to re-district the State for judicial purposes, as follows.

Messrs.	Davis	of Pope
	Stanley	of Woodruff
	McRae	of Nevada
	Walker	of Washington
	Hardison	of Sharp
	Jennings	of Van Buren
	Mooney	of Craighead
	Rice	of Jefferson
	Hervey	of Conway
	Durham	of Little River
	Martin	of Dallas.

Also of the passage by the House of Senate joint resolution No. (1) entitled "In relation to the detachment of United States troops stationed at Hot Springs."

Also of the passage of House bill No. 3, Entitled "an act to change the time of holding the circuit court of Independence County."

Also of the passage of House bill No. 8, Entitled "an act to amend section one of the act establishing a court of common Pleas in the Counties

therein named, approved Dec 14th 1875.

Also of the adoption of House joint resolution no. 2, Entitled "Resolutions honoring and commending the action of Hon. Luke P. Poland in investigating into and reporting upon the political condition of the State of Arkansas.

All of which is herewith respectfully transmitted for your favorable consideration

Thomas W. Newton.
Clerk.

Senator Chism moved that two hundred and fifty copies of Senate bill no. 6, be printed for the use of the Senate. Motion carried.

Senator Harris moved the adoption of resolution in reference to the reduction of salaries of County and Probate Judges. Motion lost.

Senator Kerr moved that the committee on public expenditures be instructed to inquire into the propriety of reducing the salaries of Probate and County Judges and that they report by bill or otherwise. Which motion was adopted.

On motion of Senator Williams Senator Norman was added to the committee on Education.

S B No 7 Senate bill no (7) was taken up and read second time and Senator Bunch moved to refer the bill to the committee on Finance.

Senator Chism moved as a substitute that the bill be referred to the committee on Elections; motion adopted.

S B No 8 Senate Bill No. 8, was taken up and read second time and on motion of Senator Pendall was referred to committee on

Printing.

At Eleven O'clock + 25 minutes Senator Haycock moved that the Senate take a recess of twenty minutes. Carried.

At eleven O'clock and forty five minutes the President called the Senate to order. and

Senator Williams moved that the senate go into election of United States Senator at 12. O'clock M today motion Carried.

5 B
no. 9. Senate bill no. 9. was taken up read second time and on motion of Senator House was referred to the committee on the Judiciary.

4 B
no. 3. House bill no. 3. ~~was taken up~~ an act entitled an act to change the time of holding the circuit court in Independence County was taken up and read the first time

4 J R
no. 2. House joint resolution no. 2. honoring and commending the Hon Luke P Poland was taken up and read the first time

4 R
no 8 House resolution no. 8. to change the time of holding court of Common Pleas in Prairie County was taken up and read the first time when on motion of Senator Hicks the rules were suspended and the resolution was read the second time

On motion of Senator Williams the resolution was referred to the committee on the Judiciary.

The President announced that the hour for the election of United States Senator had arrived,

The roll was called and the following Senators answered to their names.

Armistead Blackwell Bunch Campbell Chism Crowley Duffie East,

Ferguson Hampton Harris Haycock Hicks
House Johnson Judkins Kerr, Mulkey,
Norman Pennington Pindall Reagan Sims
Sullivan Thrower Lipton Lobey Williams
Wilson and Mr President, = 31

Senator Hicks nominated for United States
Senator The Hon A H Garland and
Senator Stanford nominated Judge. I W D
Fouley.

The roll being called The following
Senators voted for A H Garland viz:

Armistead, Blackwell, Bunch, Campbell
Chism Crowley, Duffie, East, Ferguson
Hampton, Harris, Haycock, Hicks, House
Johnson, Judkins Kerr, Mulkey, Norman,
Pennington, Pindall Reagan, Sims, Sullivan
Thrower, Lipton, Lobey, Williams Wilson
and Mr President = 30

Senator Stanford voted for I D M Fouley = 1

Senator Haycock when his name was called
explained his vote as follows.

Mr President

In giving
my vote here today I desire to state the
reasons actuating my vote and ask that
those reasons be spread upon the records
of the Senate and go before the people
of the State.

I stand here Mr President
as a republican, one who has been iden-
tified with that great party of freedom
for many years, and who would desire
to see it in its purity, again triumphant
in Arkansas. But I deem the present
an occasion when patriotism should rise
superior to party, and such action should
be taken as will show to the world that
the few republicans who form a part of
the General Assembly are disposed and
will endorse all acts looking to the
general interest and welfare of the people
of the State even if administered by
a democrat. No one can deny that

quietude has prevailed during the administration of one of Arkansas' noblest sons.

During the last two years a new era of peace has dawned upon Arkansas. political strife and numerous murders had been a disgrace to the State for many years.

Thank God that those times have passed away; and the fact is due more to the influence of one man than to all other influences combined. That man is Governor Garland.

In view of these facts I believe the republican members of the General Assembly would be doing a noble act, and testify their appreciation of a great and influential man by casting their votes for A H Garland for Senator of the United States.

With these views and a knowledge of the fact that the republicans are empowered to elect an United States Senator of their own political faith I cheerfully cast my vote for A H Garland. — Haycock.

of Jefferson.

S. B. 19. Senator Pindall introduced Senate Bill No. 19. Entitled "An act to amend an act entitled an act to establish fees.
No. 19. Bill read first time and placed on the calendar.

S. B. 20. Senator Pindall introduced Senate bill No. 20. Entitled "An act to regulate the collection of County and School district taxes.
No. 20. Bill read first time and placed on the calendar.

S B (21) Senator Pindall introduced Senate bill, No. (21) Entitled "An act to provide for issuing executions on certain judgements.
No. 21. Bill read first time and placed on the calendar.

S. B. no. (22) Senator Pindall introduced Senate bill no. (22) Entitled "An act to regulate appeals in certain cases in equity.
No. 22. Bill read first time and placed on the calendar.

Senator Priddall moved that the Senate
adjourn

Motion was adopted.

Approved.
Attest:

James H. Jones
President,

Senate Chamber

Little Rock January 17th 1877

The Senate met pursuant to adjournment at 10 O'clock A.M.

The Roll was called by the Secretary and the following Senators answered to their names. viz:
Armisted Blackwell Bunch Campbell Browley
Duffie^{East} Ferguson Hampton Harris Hicks
Johnson Judkins Kerr, Norman, Pennington
Purdall Reagan Sims Sullivan Tipton Tobey
Williams Wilson and Mr. President, = 25

Absent Senators Chism House Mulkey
Stanford Thrower, and Haycock, = 6

A quorum was found to be present.
Prayer by Rev L. H. Buchanan Chaplain.

The Journal of the preceding day was read by the Secretary, approved and signed by the President and Secretary.

Senator Judkins asked and obtained leave of absence for Senator House for one week.

Senator Chism answered to his name.

On Motion of Senator Hicks Senator Duffie was added to the Committee on Printing.

On motion of Senator Kerr Senator ~~Harris~~ was added to the Committee on Expenditures and Senator Chism to the Committee on Penitentiary.

A message from the House of Representatives by assistant Clerk Holland was received as follows.

Hall House of Representatives
January 17th 1877.

Mr President

I am instructed by the House of Representatives to inform your honorable body of the passage of House Resolution No. 11. Entitled "an act to repeal an act, entitled an act to provide for the locating

and changing of County Seats - approved March 2nd 1875

Also, of adoption of House Concurrent Resolution No. 1, asking for a Special Committee on the fee bill passed by the General Assembly which convened on the 10th day of November 1874 and adjourned on the 5th day of March 1875

Also of the appointment... by the House of the following committee on the part of the House on said Resolution, viz:

Members Morgan, Coleman of Clark Davis of Pope Durham and Milor.

Respectfully

Thos W Newton
Clerk,

Senators Haycock, Chism, Mulkey and Thrower answered to their names.

S. R. No. 5. Submitting to the qualified Electors of the State, Constitutional amendment No. 1, which was read the first time.

Senator Chism moved to suspend the rules and have the resolution read second time, motion was lost.

Senator Hicks moved that the Secretary be instructed to have two hundred and fifty copies of the resolution printed for the use of the Senate, motion was adopted.

Senator House answered to his name.

Senator Campbell chairman of committee on Enrolled Bills, submitted the following report.

Mr President.

The respective committees on Enrolled Bills have examined Senate joint Resolution No. 1, and have instructed me to report the same correctly enrolled, said resolution has been signed by the ~~officers~~ Presiding Officers of both Houses and delivered to his Excellency the Governor for his consideration

John Campbell
Chairman

16
On motion the ~~reports~~ of the committee was adopted.

On motion of Senator Jernington the Secretary of the Senate was instructed to procure and forward certified copies of Senate joint resolution No. 1. to each of our representatives in Congress.

S. B. No. 23. Senator Haycock introduced Senate Bill No. (23) Entitled "An act to fix the salary of the County and Probate Judge of Jefferson County. The bill was read the first time and placed on the calendar.

S. B. No. 24. Senator Norman introduced Senate Bill No. 24. Entitled an act to repeal Section 2696 also 2685 of Gault's Digest. The bill was read the first time and placed on the calendar.

S. B. No. 25. Senator Crowley introduced Senate Bill No. 25. Entitled "an act authorizing the sale of certain school lands. The bill was read the first time and placed on the calendar.

S. B. No. 26. Senator Ferguson introduced Senate bill No. 26. Entitled "An act to amend Section one of an act entitled an act to prevent the firing of woods, marshes or prairies &c. The bill was read the first time and placed on the calendar.

S. B. No. 27. Senator Bunch introduced Senate Bill No. 27. Entitled "An act to repeal section 3024 of Gault's Digest. The bill was read the first time and placed on the calendar.

S. B. No. 28. Senator Bunch introduced Senate bill No. 28. Entitled "An act to repeal an act entitled an act to change and define the boundary line between the counties of Marion and Boone. The bill was read the first time and placed on the calendar.

The introduction of Senate Bill No. 28, was accompanied by Petition of Citizens of Marion County.

Under order of business Senate bill no. 10, S.B. was taken up and read second time and on motion of Senator Norman was referred No 10 to the committee on the Judiciary.

Senate Bill no. 11, was taken up and read S B second time and on motion of Senator No 11. Johnson was referred to the committee on the Judiciary.

Senate Bill no. 12, was taken up and read S B second time and on motion of Senator Haycock No. 12, was referred to the Judiciary committee.

Senate Bill no 13 was taken up and read S B the second time and on motion of Senator No. 13. Ferguson was referred to the committee on Agriculture.

Senate Bill no. 14, was taken up and read S B the second time and on motion of Senator No 14 Wilson was referred to committee on the Judiciary.

Senate Bill no. 15, was taken up and read S B the second time and on motion of Senator No 15 Thrower was referred to the committee on State lands.

Senate Bill no 16 was taken up and read S B the second time and on motion of Senator No 16 Hicks was referred to the committee on Finance.

Senate Bill no. 17, was taken up and read S B the second time and on motion of Senator No 17 Sims was referred to the committee on the Judiciary.

Senate Bill no. 18, was taken up and read S B the second time and on motion of Senator No 18 Williams was referred to the committee on the Judiciary.

S B Senate Bill No. 19. was taken up and
No. 19. read the second time.

S B Senator Pindall moved that the bill be
No. 20. referred to the Judiciary committee.

Senator Thrower moved to lay the bill
on the table, which motion was adopted

S. B. Senate Bill no. 20. was taken up and
No. 20 read second time and on motion of
Senator Pindall was referred to the com-
mittee on Education

S B Senate Bill No. 21. was taken up and
No 21 read second time and on motion of
Senator Pindall was referred to the committee
on the Judiciary

S B Senate Bill No. 22. was taken up and
No. 22. read second time and on motion of
Senator Wilson was referred to the Judiciary
committee.

Under regular order of business House
Bill No. 3. was taken up and read
second time and on motion of Senator
Williams the rules were suspended and
the bill was read the third time.

The question being upon the passage of
the bill, when the Bill was passed by the
following vote.

The Senators voting in the
affirmative were

Meprs

H B Armistead, Blackwell
No 3 Bunch, Campbell, Chism, Crowley Duffie
Ferguson, Hampton, Harris Hicks House
Johnson Judkins Kerr, Mulkey Norman
Pennington Pindall Reagan Sims, Sullivan
Thrower, Lipton, Williams, Wilson and
Mr President. = 27 -

In the negative none.

Absent Senators East, Haycock, Stanford
and Tobey. = 4

HJR
No 2 House joint Resolution No. 2, was taken up and read the second time, when Senator Thrower moved to lay the resolution on the table which motion was lost.

On motion of Senator Burch the joint resolution was referred to the committee on Federal relations.

SJR
No 2 On motion of Senator Burch Senate joint resolution No. 2, was taken up and read the second time.

Senator Pindall moved that the resolution be referred to the committee on Finance

Senator Williams moved as a substitute that it be referred to a committee of the whole and made the special order of the day for next Wednesday at 11 o'clock motion was adopted.

A message was received from the House of Representatives by Chief Clerk Newton as follows.

Hall House of Representatives
January 17th 1877

Mr President

I am instructed by the House of Representatives to inform your honorable body - that the House will be ready at 12 M today to receive your Honorable body in joint session for the purpose of comparing the ballots had on yesterday for United States Senator

Respectfully

Thos W Newton
Clerk -

Senator Williams on leave submitted report from Judiciary committee as follows.

Mr President

The committee on the Judiciary to whom was referred the following resolution to wit: Resolved that the question of what officers of the Senate are required to take the oath of office be referred

to the Judiciary committee. Have instructed me to report that it is the opinion of said committee that no person that may be elected or appointed by the General Assembly to perform any work or duty not involving skill and trust need be sworn.

Article 19, Section twenty of the constitution providing that Senators and representatives and all judicial and executive State and county officers, both civil and military before entering on the duties of their respective offices shall take and subscribe &c.

Your committee is of opinion that the word "Officer" mentioned in said section means such officers as are provided for in the constitution or laws passed in accordance therewith and did not intend to include such persons as might be temporarily selected by the General Assembly to perform temporary duties.

Your committee are of opinion that the chaplain of the Senate whose duty is special and temporary and to be performed at, and during the pleasure of the Senate should not be required to take the oath, especially so as the Chaplain is presumed to perform the duties of his position under a sense of his ministerial vows.

Your committee are further of opinion that as the duties of janitor may be performed by any one who possesses physical strength to perform them and might be upon an employment from day to day if the Senate so ordered. Therefore this is not an office within the meaning of the Constitution and the janitor need not be sworn.

For the same reason, with the additional reason that those who may perform the duties may be and often are too young to understand the obligations of an oath your committee are of opinion that pages need not,

take the oath prescribed. As all other persons who have been selected to perform duties before this body have taken the oath prescribed by the Constitution your committee deem it unnecessary to decide whether any or all of said persons are officers within the meaning of the Constitution.

Signed

Williams

for the Committee.

On motion of Senator Hicks the report of the Committee was adopted.

On motion of Senator Kerr the Secretary of the Senate was instructed to inform the House of Representatives that the Senate will meet with the House in joint session at 12 O'clock M to today for the purpose of comparing the ballots for United States Senator on yesterday.

Senator Pindall chairman of the committee on the Judiciary submitted the following report:

Mr President

Your committee on the Judiciary to whom was referred House Resolution No. 8, An act entitled "An act to amend Section One of an act establishing a Court of Common Pleas in the Counties therein named, approved Dec 14th 1875" have had the same under consideration and herewith return it with the recommendation that Section One of the bill be amended to read as follows." That there is hereby established in the Counties of Conway, Faulkner, Garland, Lee, Mississippi, Prairie and Jackson, a Court of Common Pleas to be held quarterly by the County Judge of said Counties respectively at the Court house in each of said counties, commencing on the third Monday in January, April, July and October of each year, Provided, That the Court of Common Pleas of Prairie County be held on the fourth Monday of January, April, July

and October of each year, and that all of said courts continue in session until the business thereof is disposed of unless the continuation of the court shall come in conflict with the term of some other court of record, when the judge shall adjourn the court until some other day to be designated by the court, or until the next regular term of such court."

In the opinion of the committee the amendment is deemed necessary by Section twenty three Article five of the constitution.

The committee are further of opinion that this is not a local or special bill requiring notice as contemplated in Section twenty six Article five of the constitution.

The passage of the bill as amended is recommended. all of which is respectfully submitted.

Signed

X. J. Pindall,
Chairman

On motion of Senator Ferguson the report of the committee was adopted.

Whereupon the amendment was read the first time and on motion of Senator Pindall the rules were suspended, the amendment read the second time and ~~adopted~~. On motion of Senator Williams the amendment was adopted.

Senator Williams moved that House resolution No. 8, as amended be made special order for tomorrow at 11 o'clock, motion adopted.

Senator Hicks moved that the Senate now repair to the Hall of the House of Representatives to meet that body in joint session. There being no objection the Senate proceeded by its officers ~~proceeded~~ to the Hall of the House of Representatives when the President

of the Senate at precisely twelve O'clock
 Mr called the joint Assembly to order
 and announced the object of the joint
 session to be to compare the ballots and
 declare the result of the election for
 United States Senator

The Secretary of the Senate called the
 roll of the Senate when the following
 Senators answered to their names. —
 Armistead Blackwell Bunch Campbell
 Chism Crowley Duffie East. Ferguson
 Hampton Harris Hicks House Johnson
 Jenkins Kerr, Mulkey Norman Pennington
 Pindall Sims Sullivan Throver Tipton
 Tobey. Williams Wilson and Mr
 President = ^{absent} 28. ^{Haycock Reagan & Planford = 3} A quorum present.

The Clerk called the roll of the House
 and the following members answered to
 their names.

Allen Andrews Avera Barnett
 Best Blankenship Braley Brock Chaney
 Cobb. Coleman of Clark, Coleman of Phillips
 Cothran Cubage Cunningham Davis of Pope
 Davis of Searcy Davidson Doukhoo Duncan
 Dunagan Eagle Ebberson Farr Fishback
 Fisher Floyd Foster Gardner Gibson Gray
 Harrison of Saline Harrison of Yell Hearn
 Hervey Hill Hunter Jacks Jennings Jones
 Lawhon Lee Mainard Martin of Faulkner
 Martin of Dallas Mathews McHenry
 McKennow McKee Milor Mooney Morgan
 Morton Murphy Purce Peery Peoples
 Poyner Price Priddy Ratchiff Reid, Rice
 Roleson Sams Sawyer Smith Stanley
 Stinson Stubbs Tate Thomas Thomason
 Wofford Warren of Crawford Warren of
 Union Watson Weaver Wells Whitson
 Wilson Williams of Hot Springs Williams
 of Mississippi Williamson and Mr Speaker
 = 86

Absent Brown Durham Headler Hudgins
 Rector and Willing = 6. A quorum present.

The Secretary of the Senate read the Journal
 of the preceding day January 16th 1877.

Pending the reading of the Senate Journal

Senator Hampton moved to dispense with the reading of the journals except such parts as related to the election of a United States Senator, the motion was put and lost and the Secretary continued to read the Journal at length.

The Clerk of the House then read the Journal of the House of Representatives for the preceding day.

The President announced that in the Senate the Hon A H Garland had received for United States Senator Thirty votes and that I D W Youley had received One vote and in the House of Representatives the Hon A H Garland had received Eighty Three votes and I D W Youley had received Seven votes. and declared that the Hon Augustus H Garland was duly and legally elected United States Senator in Congress for the period of six years from the fourth day of March Eighteen hundred and Seventy Seven.

Senator Hampton moved that the Joint Assembly be dissolved which motion was put and adopted.

The Senate thereupon returned in a body to the Senate Chamber and was called to order by the President at one O'clock P.M.

Senator East moved that a committee of three be appointed to co-operate with like committee on the part of the House of Representatives to inform Gov Garland of his election, the motion was adopted and the President announced Senators East Bunch and Sims as such committee.

On motion of Senator Hicks the Senate adjourned.

James H. Jones
President.

Attest

Jacob Frohnh
Secretary,

Senate Chamber

Little Rock January 18th 1877

Senate met pursuant to adjournment at 10 o'clock A.M.

The roll was called by the Secretary and the following Senators answered to their names viz:

Armistead, Blackwell, Bunch, Campbell, Chism, Crowley, ^{Saffell} East, Ferguson, Hampton, Harris, Hicks, House, Johnson, Jenkins, Kerr, Mulkey, Norman, Runninton, Pindall, Reagan, Sims, Sullivan, Thrower, Lepton, Williams, Wilson and Mr President = 27

Absent Senators ~~Deffie~~ Haycock, Stanford and Tobey = 4

A quorum was announced present. Prayer by Rev S H Buchanan Chaplain

The Secretary read the Journal of the preceding day which was approved and signed by the President and Secretary.

On motion of Senator Hampton Senator Haycock was added to the Committee on Elections.

Senator Hicks asked and obtained leave of absence for Senator Haycock till tomorrow.

On motion of Senator Johnson Senator Blackwell was added to the Committee on Elections.

Senator Hicks moved to suspend the rules and take up House Resolution asking for Special Committee on the Fee Bill, the motion was put and lost.

S B
No 29 Under regular order of business Senator Wilson introduced Senate Bill No. 29. Entitled "an act to regulate the compensation of the members and Officers of the General Assembly. The bill was read the first time and placed on the Calendar.

S B
No 30 Senator Pindall introduced Senate bill no. 30. Entitled "an act to extend the time for presenting District School warrants or orders to the County treasurers for payment or endorsement.

The bill was read the first time and placed on the calendar.

S. B. No. 31. Senator Harris introduced Senate bill No. 31. Entitled "an act to amend Sections 5052, and fifth subdivision of 5054 chapter, 116, of Gaule's Digest. The bill was read the first time and placed on the calendar.

S. B. No. 32. Senator Johnson introduced Senate bill No. 32. Entitled "an act for the relief of J. Y. Griffin & Sons. The bill was read the first time and placed on the calendar.

A message was received from the House of Representatives by assistant clerk Holland as follows.

Hall House of Representatives
January 1877

Mr President

I am instructed by the House of Representatives to inform your honorable body of the appointment of a committee of three on the part of the House to act with a like committee on the part of the Senate to wait upon the Hon A H Garland and inform him of his election as United States Senator.

Said committee on the part of the House consists of Messrs Rice Tate and Coleman of Clark.

Respectfully

Thos W Newton
Clerk

S. B. No. 33. Senator Tobey introduced Senate bill no 33 Entitled "an act to repeal an act entitled an act to validate Mortgages on crops. The bill was read the first time and placed on the calendar.

Senator Tobey on leave offered the following resolution.

Resolved, That the Auditor of State be requested to furnish the Senate

with a statement of the rate of taxation for State purposes since the year 1868 to the present time and the amount of assessed value of real and personal property in the State for 1876.

On motion of Senator Hicks the resolution was adopted.

Senate bill no. 27. was taken up and read the second time when Senator Bunch S.B. moved that the bill be laid on the table No. 27. for the present: there being no objection it was so ordered.

Senate bill no. 26. was taken up and read S.B. the second time and on motion of Senator No. 26. Ferguson was referred to the committee on the Judiciary.

Senate bill no. 24. was taken up and read the second time and on motion S.B. of Senator Johnson was referred to the committee No. 24. on the Judiciary.

Senate bill no. 25. was taken up and read the second time and on motion S.B. of Senator Duffie was referred to the committee No. 25. on ~~the Judiciary~~ State lands.

Senate bill no. 23. was taken up and read the S.B. second time and on motion of Senator Norman No. 23. was referred to the committee on County and County lines.

Senate bill no. 28. was taken up and read the second time and on motion S.B. of Senator Bunch the bill with accompanying No. 28. petitions was referred to the committee on County and County lines.

House bill no. 11. Entitled "An act to repeal H.B. an act to provide for the locating and changing of County and County Seats, approved March 2nd No. 11. 1875. was taken up and read the first time and placed on the calendar.

House Concurrent resolution no. 1. asking H.C.R. for Special Committee on the fee bill passed by No. 1. the General Assembly which convened on the 10th day of November 1874 and adjourned on the 5th day of March, 1875. was taken up and read and on motion of Senator Hicks the

Senate concurred with The House of Representatives, and The President announced as The committee on the part of The Senate, Senators Lipton Norman and Armistead.

H.B. No. 8. Senator Hicks ^{moved} that the special order for today be taken up; There being no objection House Bill No. 8. was taken up and read the third time as amended.

The question being upon the passage of the bill the roll was called and the following Senators voted in the affirmative, viz:

Armistead Blackwell Bunch, Campbell Chism Crowley Duffie East Ferguson Hampton Harris Hicks House Johnson Judkins Kerr Mulkey Norman Pennington Pindall Reagan Sims Sullivan Lipton Tobey Williams Wilson and Mr President. Ayes = 28. Nays none. Absent Senators Haycock, Stanford and Throver = 3. So the bill was passed.

Senator Kerr moved that the committee on Printing be instructed to inquire what documents accompanying the Governor's message should be printed and report to the Senate. The motion was put and adopted.

S.C.R. No. 6. Senator Armistead offered Senate concur sent resolution No. 6. memorializing Congress to repeal tax on leaf tobacco.

Senator Hicks moved that the resolution be adopted, The motion was put and the resolution was adopted.

On motion of Senator Johnson the Senate adjourned.

James K. Jones
President.

attest.

James K. Jones
Sec

Senate Chamber.

Little Rock January 19th 1877

The Senate convened pursuant to adjournment at 10 o'clock A.M. and was called to order by Hon J K Jones President of the Senate when the roll was called and the following Senators answered to their names, viz:

Armistead, Blackwell
Bunch Campbell Chism Crowley Duffie
Ferguson Hampton Harris Hicks Johnson
Jenkins Kerr Mulkey Norman Pindall Reagan
Sims Sullivan Thrower Lepton Tobey Williams
Wilson and Mr President. = 26

Absent Senators East, Haycock House
Pinnington and Stanford = 5.

A quorum present.

Prayer by Rev A. H. Buchanan Chaplain.

The Journal of the preceding day was read approved and signed by the Secretary and President.

Senator Pinnington answered to his name. Senator Pindall Chairman of Judiciary committee presented the following.

Mr President. -

I am instructed by the committee on the Judiciary to present the following motion. That the committee on the Judiciary be authorized to employ a clerk and that such clerk receive three dollars per day for his services.

Signed

X of Pindall.

Chairman

Senator Hicks moved that the motion be adopted upon which Senator Ferguson called for the Yeas and nays, the call being sustained the motion was put and adopted. Yeas = 15. Nays = 12. Senators voting in the affirmative were.

Armistead Blackwell, Chism Crowley Duffie Hampton Harris Johnson Jenkins Mulkey Pindall Sims Sullivan Thrower and Mr President. = 15.

Those voting in the negative were, Bunch Campbell Ferguson Hicks Kerr Norman Pinnington Reagan Lepton Tobey Williams and Wilson = 12.

Absent Senators East, Haycock House and Stanford = 4.

Senator Campbell asked and obtained leave of absence for Senator Johnson till tomorrow.

Senator Hicks asked and obtained indefinite leave of absence for Senator ~~Hicks~~ ^{Johnson}.

Senator Johnson from committee on Judiciary submitted the following report:

Mr President

The committee of the Senate on the Judiciary to whom was referred Senate bill no. 11. An act to amend section (3) of act no. Sixty One of the adjourned session of 1875-Entitled "An act to establish a court of Common Pleas in the counties named therein." have had the same under consideration and herewith return it with the following amendments thereto to wit: In line six from the bottom of section one strike out the word "all" also in line five from the bottom of said section substitute the word "and" for the word "all".

The passage of the bill as amended is recommended. All of which is Respectfully Submitted

"Signed"

Johnson

for the Committee.

The Secretary read the section as in the original bill and then read the section as amended. The amendment was then read the first time and on motion of Senator Johnson the rules were suspended and the amendment read the second time and adopted.

Senator Hicks moved to amend by striking out "five hundred" in last line of section three and inserting "one thousand". The amendment was read the first time and on motion of Senator Hicks the amendment was read the second time under suspension of the rule and adopted.

On motion of Senator Johnson the bill as amended was ordered Engrossed and made special order for next Thursday at

11. O'clock. Senator Williams on leave introduced the following.

Resolved, - That it be referred to the Judiciary committee to enquire and report as to the propriety of so amending the Constitution as to give Courts of Common Pleas jurisdiction of all crimes and misdemeanors less than felony, and whether the same cannot be prosecuted therein by information instead of indictment.

"Signed"

Williams
of Dulaski.

Which resolution being read was on motion of Senator Chism adopted

Senator Johnson on leave submitted the following resolution.

Resolved. That the order of the Senate concerning the number of newspapers and amount of postage allowed each Senator be amended or changed to read that each Senator be allowed ten newspapers and twenty five cents worth of Postage.

Signed

Johnson
of Miller.

Senator East answered to his name.

Senator Johnson moved the adoption of his resolution relative to Postage. on which motion Senator Ferguson called for the Ayes and Noes. The call was sustained and the motion was put and lost. Ayes = 4 Noes = 23

Senators voting in the affirmative were Johnson Tobey Williams and Mr President = 4
Those voting in the negative were Messrs Armstrong Blackwell Bunch Campbell Chism Duffie East Ferguson Hampton Harris Haycock Hicks Jenkins Kerr Mulkey Norman Pennington Pindall Reagan Sims Sullivan Lipton and Wilson = 23

Absent Senators Crowley House Stanford and Throver. = 4

Senator Pindall Chairman Judiciary committee.

submitted the following report. viz;

Mr President,

The committee of the Senate on the judiciary to whom was referred Senate bill No. 14, "An act to amend Sections 163 and 164 of Gault's Digest" have had the same under consideration and have made the following amendment thereto, to wit; in section one on line 16 from the top after the word "clerk" insert the words "who shall be responsible on his official bond for said funds and at the discretion of the court shall give additional security".

The passage of the bill as amended is recommended

Respectfully Submitted

X J Pindall

Chairman.

The amendment was read the first time and on motion of Senator Pindall the rules were suspended the amendment read the second time and adopted.

On motion of Senator Pindall the bill as amended was ordered to be engrossed and placed on the Calendar.

Senator Ferguson submitted the following report.

Mr President

Your committee on Agriculture has had under consideration Senate bill No. 13. A bill to be entitled an act to prevent the driving of stock out of their usual range by persons not owning or entitled to control the same, and respectfully recommend the passage of the same

Respectfully

A H Ferguson

Chairman.

Senator Hamplow ^{moved} that the bill be read the third time and put upon its passage.

Senator Kerr moved that the bill be ordered engrossed, the motion was put and lost.

Senator Riddall moved to amend the bill by adding after the word drive the words "or remove" the amendment was read the first time and on motion the rules were suspended and the amendment was read the second time and adopted. When on motion of Senator Bunch the bill was ordered to be engrossed.

S B No. 34. Introduced Senator Reagan introduced Senate bill No. 34. Entitled "an act to amend Section No 34.4287 of Gault's Digest. The bill was read the first time and placed on the calendar.

S B No 35. Introduced Senator Crowley introduced Senate bill No. 35. Entitled "an act authorizing the treasurer to issue certificates of indebtedness in certain cases and for other purposes. The bill was read the first time and placed on the calendar.

S B No 36. Introduced Senator Duffie introduced Senate bill No. 36. Entitled "An act to amend the No 36 Revenue laws of the State". The bill was read the first time and placed on the calendar.

S B No 37. Introduced Senator Harris introduced Senate bill No. 37. Entitled "an act to fix the salary of County and probate Judge of Jackson County. The bill was read the first time. Senator Harris moved to suspend the rules and read the bill the second time. The motion was put and lost.

S B No. 38. Introduced Senator Armistead introduced Senate bill No. 38. Entitled "An act to amend Section 9. of an act entitled an act to regulate the licensing of dram shops and for other purposes. approved May 30th 1874. The bill was read the first time and placed on the calendar.

S B No. 29. Under regular order of business Senate bill No. 29. Entitled "An act to regulate the compensation of the members and officers of the General Assembly was taken up and read the second time and on motion of Senator Wilson was referred to the Committee on Finance.

Here a message from the Governor by his Secretary Genl James M. Pomeroy was received as follows.

State of Arkansas
Executive Office Little Rock
January 17th 1877

To The President of the Senate
Mr President

I have this day signed and approved. Senate Joint Resolution No. 1. A joint resolution relative to the stationing of a detachment of United States troops at the Hot Springs in this State.

"Signed"

W R Miller
Governor.

On motion of Senator Bunch Senate bill No. 27. Entitled "An act to repeal section 3024 of Gaults Digest" was referred to the committee on Finance.

S B No. 31. Senate bill no. 31, Entitled "An ^{act} to amend sections 5052 and 5th subdivision of 5054 Chapter 116 of Gaults Digest. was taken up and read the second time and on motion of Senator Harris referred to the committee on Expenditures.

S B No 32. Senate bill no 32. Entitled "An act for the relief of J I Griffen & Sons was taken up and read the second time and on motion of Senator Johnson referred to the committee on Claims.

S B No 33. Senate bill no. 33, Entitled "An act to repeal an act entitled an act to validate mortgages on crops" was taken up and read the second time and on motion of Senator Sobey referred to the committee on Agriculture.

S B No 30. Senate bill no. 30, Entitled "An act to extend the time for presenting District School warrants or orders to the County Treasurer for payment or endorsement" was taken up and read the second time and on motion of

Senator Pindall was referred to the committee on education.

H B No 11 House bill No. 11. Entitled "An act to repeal an act entitled an act to provide for the locating and changing of ~~County and County~~ seats, approved March 2nd 1875. was taken up and read the second time and on motion of Senator Lowrey was referred to the Judiciary Committee.

The President submitted for the consideration of the Senate the following communication from the Auditor of State.

Office of Auditor of State
Little Rock Ark January 19th 1877

To the Hon

President of the Senate

Sir

In response to Senate Resolution requesting the Auditor to furnish a statement of the rates of taxation for State purposes since the year 1868"

I have the honor to inform your honorable body that the rates of taxation for the several years mentioned, was as follows.

For the years 1868-9 & 70

State General tax	5 Mills
" School Tax	2 "
" Convention tax	2 1/2 "
" Mathea tax	1 1/4 "

For the years 1871 & 2

State General tax	5 Mills
" School Tax	2 "
" Sinking fund tax	2 1/2 "

For the year 1873

State General tax	10 Mills
" Sinking fund tax	2 1/2 "

For the year 1874

State General tax	7 Mills
" Sinking fund tax	2 1/2 "

Tax to pay interest on 10 year bonds 1/2 "

For the years 1875+6

State General tax	5 mills
" School tax	2 "
Sinking fund tax	3 "

Having received no abstract from nearly one half of the counties in the State I am unable at the present time to furnish a statement of the assessed value of the taxable property in the State for 1876 but will do so at the earliest possible moment.

Very Respectfully
Your obt Servt,
John Crawford
Auditor of State.

Senator Sobey moved that two hundred and fifty copies of the communication from the Auditor of State be printed for the use of the Senate. The motion was put and lost.

Senator Campbell moved a reconsideration of the vote taken on the resolution of Senator Johnson relative to News papers and Postage when Senator Judkins moved that the motion to reconsider be laid upon the table which last motion was put and lost. Thereupon Senator Chism moved that the motion to reconsider be referred to the Committee on Penitentiary, motion put and lost.

Senator Johnson moved to postpone further consideration of the question till next Tuesday at 11 O'clock, the motion was put and lost. The motion of Senator Campbell for a reconsideration was then put and adopted.

The question recurring on the adoption of the resolution of Senator Johnson Senator Ferguson called for the Yeas and Nays. The call was sustained. When Senator Hicks moved to amend the resolution by striking out twenty five cents and inserting twenty cents the amendment was accepted and the motion was put on the adoption of the resolution

as amended ~~and the resolution was adopted~~
and the motion to adopt was lost.

Yeas = 13. Nays = 16

Senators voting in the affirmative were Messrs Campbell Crowley East Haycock Hicks Johnson Malkey Norman Sullivan Throver Tobey Williams and Mr President = 13 Those voting in the negative were Messrs Armistead Blackwell Bunch Chism Duffie Ferguson Hampton Harris Judkins Kerr Pennington Reagan Sims Lipton and Wilson = 16 Absent Senators House and Stanford = 2.

Senator Wilson presented the resignation of Hon W F Lake as a Trustee in the ~~Arkansas~~ Industrial University as follows.

Viney Grove Ark
Dec 10th 1876

Hon Senate and House of Representatives

Gentlemen

I hereby tender my resignation as Trustee of the Arkansas Industrial University. Please accept my sincere thanks for your distinguished consideration.

Yours Very Respectfully
W F Lake.

Our motion of Senator Ferguson Senator Chism was added to the Committee on Agriculture.

Senator Chism at his own request was excused from service on the Committee on Printing.

Senator Sindall offered Concurrent resolution no. 7 accepting the resignation of W F Lake as Trustee of the Arkansas Industrial University.

Which resolution was on motion adopted.

The President submitted the following communication from the State Board of Commissioners

Little Rock Arkansas

January 19th 1877.

To The Hon President of the Senate.

Little Rock Arkansas.

Sir.

The undersigned State Board of Commissioners met this morning for the purpose of appointing a Physician to the Penitentiary under Section 4429 of Gratts Digest, but upon examination of the Statute found that the term of employment of the present Physician had expired on the first day of January 1877 leaving us as such Board without authority to appoint a successor.

We therefore respectfully ask that you lay the matter before the Senators for such action as they may see proper to take in the premises

"Signed"

Very Respectfully

W R Miller

B B Beavers

W F Henderson

Board of
Commissioners

Senator Pindall moved that the communication be referred to the committee on the Penitentiary the motion was put and ~~the motion~~ adopted.

Senator Storman moved that the Senate adjourn the motion was adopted, and Senate adjourned till 10 o'clock tomorrow.

Attest: Approved,

David Frolich
Sec

James H. Jones
President.

Senate Chamber.

Little Rock January 20th 1877

The Senate met pursuant to adjournment at 10 o'clock A.M. and was called to order by Hon J K. Jones. President of the Senate when the roll was called by the Secretary and the following Senators answered to their names.

Armistead Blackwell
Bunch Campbell Chism Crowley Duffie
Ferguson Hampton Harris Haycock Hicks Jenkins
Kerr Mulkey. Norman Pundall Reagan Sims
Sullivan Thrower Lipton Tobey Williams Wilson
and Mr President. = 26
Absent Senators East
House Johnson Pennington and Stanford = 5

A quorum was present.

Prayer was offered by Rev
S H Buchanan Chaplain.

The journal of the
preceding day was read by the Secretary ^{approved} and
signed by The President and Secretary.

Senator Hampton asked and obtained leave of
absence for Senator Pennington till next week.

The President submitted the following communi-
cation.

Little Rock Arkansas
January 20th 1877.

Hon J K. Jones

President of the Senate

Dear Sir

Permit me through
you to extend to the members and officers of the
Senate, an invitation to attend an exhibition of the
pupils of the Blind Institute, at The Opera House on
Main Street, Tuesday evening 23^d inst, commencing at
half past seven o'clock. Tickets will be furnished

Yours Respectfully

Otis Patten Supt.
Ark. Inst. for the education
of the Blind.

On motion of Senator Bunch the invitation was
accepted.

A message was here received from the
House of Representatives by assistant Clerk Holland

as follows.

Hall House of Representatives
January 19th 1877

Mr President

I am instructed by the House of Representatives to inform your honorable body of the passage of House bill No. 16. entitled a bill to be entitled an act for creditors of the estates of deceased persons to sell real estate to pay debts of said persons in certain cases. and herewith respectfully transmit the same for your favorable consideration.

Thomas W Newton
Clerk.

Senator Kerr submitted the following,

Resolved. That
The Auditor of State be requested to communicate to the Senate the distances for which mileage is allowed: The Sheriffs and collectors of the various Counties, when conveying convicts to the Penitentiary and visiting the Capitol for the purpose of paying over the State Revenue, And also the number of guards charged for, for each convict.

On motion of Senator Williams the resolution was adopted.

S to R
No. 8. Senator Wilson introduced Senate concurrent Resolution No. 8. proposing amendment to The Constitution which was read the first time and on motion of Senator Wilson the rules were suspended and the resolution was read the second time and referred to the Judiciary Committee.

Senator Judkins submitted the following report from the Judiciary Committee to wit:

Mr President.

The committee on Judiciary to whom was referred the resolution providing for the contracting for the printing to be done during the present session, has had the same under consideration and beg leave to make the following report. Section 15 article 19. constitution of the State of Arkansas, provides the manner in which the public printing must be done. Under this section your

committee concludes that no public printing can be done for the use of any department of the State except by contract made by some person on the part of the State authorized by law to let the same to the lowest bidder below such maximum price and under such regulations as is or may hereafter be prescribed by law. Under said Section 15, Article 19 of the Constitution of 1874 the Governor, Auditor and Treasurer must approve said contract for printing. We are of opinion that the General Assembly can by law provide for the printing to be let by the Secretary of the Senate, Clerk of the House of Representatives or any other person or Officer. It is the opinion of the committee that nothing can be furnished by any person for the use of any department of the State Government except it be by contract previously entered into by some person authorized by law to let the contract to the lowest bidder below a maximum price fixed by law.

Section one of an act entitled an act to regulate the letting of public contracts approved Nov 28th 1874 provides that the Governor, Auditor and Treasurer shall be Ex Officio commissioners of public contracts and the same act provides for the purchasing of all articles necessary for the use of all departments of State and also fixes the maximum price of the same. Hence under the Constitution and the act referred to we conclude that any contract made by any other than the Governor Auditor and Treasurer for the State is wholly illegal and can be of no binding effect.

Your committee would therefore recommend that the subject matter of this resolution be referred to the committee on printing with instruction to report by bill the proper manner for providing for all necessary expenditures of the General Assembly.

"Signed"

Judkins for the committee
on the Judiciary.

On motion of Senator Pindall the report was adopted.

Senator Pindall Chairman of Judiciary committee submitted the following report.

Mr President

In accordance with the order of the Senate authorizing the committee

of the Senate on the Judiciary to employ a clerk at three dollars per diem the committee have selected and appointed Mr Morris Brandes to date from January 19th.

Respectfully Submitted

X J Piddall,
Chairman.

Senator Hampton Chairman of the committee on Elections submitted the following report.

Mr President

The committee on Elections to which was referred Senate bill no. 7. "An act to repeal section twenty three hundred and eighteen of Gault's Digest after having said bill under consideration, have instructed me to report the following bill as a substitute for said Senate bill no. 7. and recommend the passage of the proposed substitute.

A Bill to be entitled "an act to amend section 2318. of the revised Statutes.

Section 1st Be it enacted by the General Assembly of the State of Arkansas That section twenty three hundred and eighteen of the Revised Statutes be so amended as to read as follows. The Sheriff of each county of the State may specially deputize a suitable number of persons in any election district within his county which may contain two hundred or more voters, to attend at each election in said District to preserve peace and good order and to perform such duties in relation thereto, as may be required by the Judges of election.

Section, 2. That all laws in conflict with the foregoing section be and the same are hereby repealed, and that this act take effect from and after its passage

"Signed"

Hampton
Chairman.

On motion of Senator Hampton the report was adopted. and on motion of Senator Storman the rules were suspended the substitute read the second time, adopted and ordered to be engrossed.

Senator Hampton Chairman of Committee on Elections submitted the following report.

Mr President

(Your committee to whom was referred the contested election of W I Warwick Contestant against Samuel W Williams Contestee have had the same under consideration and have directed me to ask the sense of the Senate as to the taking of additional testimony on the petition of the contestant in said contest

"Signed"

Hampton

Chairman.

Senator Hampton sent to the Secretary's desk and had read for the information of the Senate the petition of W I Warwick the contestant.

On motion of Senator Pindall the report was made the special order of the day at 11 o'clock on Tuesday next.

On motion of Senator Hampton Senator Norman was added to the committee on Elections.

Senator Norman from the Committee on Education made the following report.

Mr President.

I have the honor to report that the committee on Education have had under consideration Senate bill No. 20. "An act to regulate the collection of County and school district Taxes" and propose to amend the same by adding after the words "issue" in the 3^d line of second section the words "by the County Clerk" and by adding before the words "warrant" in the 4th line of the second section the words "School district." The bill when thus amended will read as follows — Section 2: That all county and School District warrants shall be numbered according to priority of issue (by the County Clerk) and the County Treasurer ^{shall} not pay any (District School) warrant ^{without} reserving sufficient funds to pay all warrants previously issued, and when thus amended the committee recommend the passage of the said bill.

"Signed"

Norman, for the Committee —

The amendment was read the first time and on motion of Senator Norman the rules were suspended and the amendment was read the second time and adopted.

On motion of Senator Pindall the bill as amended was ordered to be engrossed.

S. B. Under regular order, Senator Storman introduced
No 39 Senate bill no 39 Entitled "An act to regulate Power." The bill was read the first time and placed on the calendar.

S. B. Senator Lipton introduced Senate bill no. 40
No. 40 Entitled "An act to amend Section 30. of an act providing a general election law, January 23^d 1875. The bill was read the first time and placed on the calendar.

S. B. Senator Hicks introduced Senate bill no. 41.
No. 41 Entitled "An act to provide for the election of a Physician to the Penitentiary. The bill was read the first time and on motion of Senator Hicks. The rules were suspended and the bill was read the second time and referred to the committee on the Penitentiary.

S. B. Senator Wilson introduced Senate bill no. 42.
No. 42 Entitled "An act for the relief of Isaac Murphy late Governor of Arkansas.

Senator Wilson moved to suspend the rules and have the bill read the second time, the motion was put and lost.

S. J. R. Senator Lobery offered joint Resolution
No. 6 no. 6. proposing an amendment to the constitution of the state which was read the first time.

S. B. Senator Kerr introduced Senate bill no. 43.
No. 43 Entitled "An act to prevent the granting of free passes to any Officer of this State by any Rail Road or Transportation Company." The bill was read the first time and placed on the calendar.

S. B. Senator Storman introduced Senate bill no. 44.
No. 44 Entitled "An act to permit Judges of the Circuit Court to adjourn the term of a court beyond the term of another and to legalize the proceedings &c. The bill was read the first time and placed on the calendar.

S B No. 35 Senate bill no. 35. Entitled "An act authorizing the Treasurer to issue certificates of indebtedness in certain cases and for other purposes" was taken up and read the second time and on motion of Senator Lowrey was referred to the committee on State lands.

S B No 36 Senate bill no. 36 Entitled "an act to amend the Revenue laws of the State" was taken up and read the second time and on motion of senator Duffie was referred to the committee on Auditors and Treasurer's accounts

S B No. 37 Senate bill no. 37. Entitled "an act to fix the salary of County and Probate Judge of Jackson County" was taken up and read the second time and on motion of Senator Norman was referred to the Judiciary committee.

S B No 38 Senate bill no. 38. Entitled "An act to amend Section. 9. of an act entitled an act to regulate the licensing of dram shops and for other purposes, approved May 30th 1874 was taken up and read the second time and on motion of Senator Williams the bill with accompanying petition was referred to the Judiciary committee.

S. B. No. 34. Senate bill No. 34. Entitled, "An act to amend Section .4287. of Grant's Digest" was taken up and read the second time and on motion of Senator Reagan was referred to the Judiciary Committee.

S. J. R. No. 5. Senate Joint Resolution No. 5. Submitting to the qualified Electors of the State a Constitutional amendment." was taken up and read the second time and on motion of Senator Hicks was referred to Committee of the whole and made Special Order of the day for next Wednesday at 11. O'clock

S B No 30 On motion of Senator Pundall Senate bill No. 30. Entitled "An act to extend the time for presenting District School warrants or orders to the County Treasurer for payment or encroachment was referred to the Committee on Education

H. B. No. 16. House bill No. 16, Entitled, "An act for the creditors of the estate of deceased persons to sell real estate to pay debts of said persons in certain cases" was taken up and read the ~~first~~ time.

Senator Williams moved to suspend the rules and have the bill read the second time. The motion was put and lost.

On motion of Senator Pindall the Senate adjourned

Approved
Attest

James H. Jones
President.

Jacob Trolah
Sec

Senate Chamber

Little Rock January 22nd 1877

The Senate met pursuant to adjournment at 10. O'clock A M and was called to order by Hon J K Jones the President, when the roll was called and the following Senators answered to their names, viz:

Armistead

Blackwell Bunch Campbell Chism Crowley Duffie
East Ferguson Hampton Harris Haycock Jenkins
Kerr Mulkey Norman Pindall Reagan Sims Stanford
Sullivan Thrower Lipton Poley Williams Wilson and
Mr President = 27. Absent Senators Hicks House
Johnson and Pennington = 4.

A quorum present.

Prayer was offered by Rev S H Buchanan Chaplain

The Journal for Saturday January 20th was read, approved and signed by the President and Secretary.

Senator Haycock asked and obtained leave of absence for Senator Hicks till tomorrow.

S. M. Senator Blackwell submitted Senate Memorial No. 2. No. 2. asking appropriation to improve Fourche La Pave which was read the first time.

S. C. R. Senator Hampton submitted Senate Concurrent Res. No. 9. Resolution No. 9. asking that the Judiciary Committee of the two Houses be made a joint Committee on proposed amendments to the Constitution which was on motion of Senator Mulkey adopted.

S. J. R. Senator Hampton introduced Senate joint resolution No. 7. proposing an amendment to the Constitution of the State, which was read the first time and on motion of Senator Hampton the rules were suspended. No. 7. The resolution was read the second time and referred to the Judiciary Committee.

On motion of Senator Duffie Senator Crowley was added to the Committee on State Lands.

Senator Thrower submitted the following: Whereas a large number of citizens from various States of the

Union are now in this City in attendance upon a meeting of District Grand Lodge No. 7 Independent Order Bnai B'rith.

Resolved, That the members of said Lodge be and are hereby invited to visit the sessions of this body and the courtesies of the floor are offered them. and on his motion the Secretary of the Senate was instructed to communicate the order of the Senate to said Lodge.

Senator Throver called the attention of the Senate to the condition of the gallery and the President directed the Sergeant at Arms to prepare the gallery for the reception of visitors.

Senator Kerr chairman of committee on Penitentiary submitted the following report.

Mr President,

Your committee on the Penitentiary to whom was referred Senate Bill No. 41, Entitled "An act to provide for the election of a Physician to the Penitentiary" beg leave to report that they have had the same under consideration.

Your committee respectfully recommend that the bill be amended by inserting in line 12, after the word "shall" the following words to wit: "On the first day of January A.D. 1879, or as soon thereafter as practicable and every two years thereafter for the period of six years from the first day of January A.D. 1877," and that the bill as amended do pass.

"Signed"

R. I. Kerr, chairman.

The amendment was read the first time and on motion of Senator Kerr the rules were suspended the amendment read the second time and adopted.

Senator Pindall moved to amend by adding "provided that said board shall have power to fill any vacancy that may occur in said office". The amendment was read the first time and on motion the rules were suspended the amendment read the second time and adopted.

On motion of Senator Judkins the bill as amended was ordered Engrossed for the third reading.

S.B. Senator Reagan introduced Senate bill no. 45. Entitled "An act to fix the salaries of Governor, Supreme Judges No. 45. and other Officers named herein". The bill was read the first time and placed on the calendar.

S.B. Senator Williams introduced Senate bill no. 46. Entitled No. 46. "An act to regulate the mode of proposing and voting upon amendments to the Constitution of Arkansas. The bill was read the first time and on motion of Senator Williams the rules were suspended the bill read the second time and referred to the Judiciary Committee.

S.B. Under regular order Senate bill No. 39. Entitled "An No. 39. act to regulate Dower" was taken up and read the second time and on motion of Senator Storman was referred to the Committee on the Judiciary.

S.B. Senate bill No. 40. Entitled "An act to amend No. 40. Section, 30. of an act providing a general election law. January, 23^d 1875." was taken up and read the second time and on motion of Senator Tipton was referred to the Judiciary Committee.

S.B. Senate bill No. 42. Entitled "An act for the relief No. 42. of Isaac Murphy late Governor of Arkansas" was taken up and read the second time and on motion of Senator Bunch was referred to the Committee on Expenditures

S.B. Senate bill No. 43. Entitled "An act to prevent the No. 43. granting of free passes to any Officer of this State by any Rail Road or Transportation Company" was taken up and read the second time and on motion of Senator Kerr referred to the Judiciary Committee.

S.B. Senate bill No. 44. Entitled "An act to permit No. 44. Judges of the Circuit Court to adjourn beyond the term of another and to legalize the proceedings &c." was taken up and read the second time and on motion of Senator Storman referred to the Judiciary Committee.

S.J.R. Senate Joint Resolution No. 6. "proposing amendment to No. 6. the Constitution" was taken up and read the second time and on motion of Senator Tobey referred to the Judiciary Committee.

Senator Throver moved that two hundred and fifty copies of the report of the committee on Elections with petition of W. J. Warwick contestant and notice to S. W. Williams contestant be printed for the use of the Senate.

Senator Armistead moved to amend by adding "and accompanying documents except depositions". The amendment was accepted and the motion as amended was put and adopted. The committee on elections was then instructed to return the papers in the case to the Secretary of the Senate.

The President announced as committee on Benevolent and State Institutions Senators Wilson Williams Storman Crowley and Mulkey.

On motion of Senator Reagan the Senate Adjourned
Approved
Attest.

Jacob Frolich
Secretary.

James K. Jones
President.

Senate Chamber

Little Rock January 23rd 1877

Senate met pursuant to adjournment at 10 o'clock A.M. and was called to order by Hon J K Jones President.

The roll was called by the Secretary and the following Senators answered to their names, viz.
Armistead Blackwell Bunch Campbell, Chas Crowley
Duffie East, Ferguson Hampton Harris Hicks
Haycock Johnson Judkins Kerr Mulkey Storman Tindall
Reagan Sims Stanford Throver Tipton Tobey Williams
Wilson and Mr President = 28 Absent Senators
House Pennington and Sullivan = 3
A quorum was present.

Prayer was offered by the Rev Dr Baird of Nashville, Tenn.

The Journal for the preceding ^{day} was read, approved and signed by the President and Secretary.

On motion of Senator Harris the Rev Mr Steil of Poinsett County was invited to a seat on the floor of the Senate.

Senator Campbell submitted Senate Memorial No. 3, asking aid for Ladies Benevolent Association of Little Rock which was read and on motion of Senator Campbell was referred to Committee on Memorials.

On motion of Senator Reagan Genl A B Pearce of Benton County was invited to a seat on the floor of the Senate.

On motion of Senator Johnson Senator Sullivan was granted leave of absence for the day.

Senator Duffie submitted the following Whereas. — A large number of the citizens of the State are now in the City in attendance upon a meeting of the State Grange. Therefore Resolved. That the Delegates to the State Grange now in this City be and are hereby invited to visit the Sessions of this body and the courtesies of the floor are offered them. which was on motion of Senator Duffie adopted.

Senator Ferguson Chairman of Committee on Agriculture submitted the following report.

Mr President.

The committee on Agriculture has had Senate bill no. 33. under consideration, "an act to repeal an act entitled an act to authorize mortgages on crops. and a majority of the committee has authorized me to return the bill and recommend that the bill lay on the table for the present.

"Signed"

Yours Respectfully
A H Ferguson

Chairman

On motion of Senator Norman the report of the committee was adopted.

Senator Judkins chairman of committee on Auditors and Treasurers accounts submitted report as follows.

Mr President

The committee on Auditors and Treasurers accounts to whom was referred Senate bill no. 36. to be entitled an act to amend the Revenue law of the State, has had the same under consideration and beg leave to recommend that the same be amended in line six Section One after the words five Thousand two hundred and forty three by adding the words "Gaults Digest," and further recommend that the same as amended be passed.

"Signed"

Judkins

Chairman.

The amendment was read the first time and on motion of Senator Norman the rules were suspended the amendment read the second time and adopted, and on motion of Senator Judkins the bill as amended was ordered engrossed for the third reading.

Senator Norman from the committee on the judiciary submitted the following report.

Mr President.

The committee on the judiciary to whom was referred Senate bill no. 12. Entitled an act to authorize the several counties in this State to fund the outstanding indebtedness evidenced by bonds of said Counties heretofore

S.P. 12

"issued" have had the same under consideration and I am directed by the committee to return the same with the following amendment thereto viz: At the end of Section Ten add, "Provided nothing in this act shall be construed to repeal any law which authorizes the County Courts to fund unliquidated and outstanding warrants and indebtedness existing prior to the 30th day of October 1874"

The passage of the bill as amended is recommended.

Respectfully Submitted

Norman

for the committee.

The amendment was read the first time and on motion of Senator Norman the rules were suspended. The amendment read the second time and adopted. and on motion of Senator Haycock the bill as amended was ordered engrossed for the third reading.

Senator Duffie chairman of committee on State Lands submitted the following report.

Mr President

The committee on State Lands to whom was referred Senate bill No. 35. entitled an act authorizing the Treasurer to issue certificates of indebtedness in certain cases and for other purposes beg leave to report that they have had the same under consideration and have agreed to report the same back and recommend its passage.

"Signed"

Duffie chairman
Com on State Lands.

On motion of Senator Norman the report was adopted and the bill ordered engrossed.

S.B. Senator Ferguson under regular order introduced Senate bill No. 47. Entitled "An act to amend section 1824 of Grant's Digest." The bill was read the first time and placed on the calendar.

S.B. Senator Wilson introduced Senate bill No. 48. entitled. "An act for paying balance due for erecting the Arkansas Industrial University building" The bill was read the first time and placed on the calendar.

On the suggestion of Senator Johnson the Secretary was instructed to procure and furnish the Senate with copies of the last annual report of the Board of Trustees of The Arkansas Industrial University.

S B
No 49 Senator Crowley introduced Senate bill No. 49 Entitled "An act to repeal Section 3720, of Gaults Digest;" The bill was read the first time and placed on the Calendar.

S B
No 50 Senator Armistead introduced Senate bill No. 50 Entitled "An ^{act} to alter the fifth seventh and eighth Judicial Circuits of the State of Arkansas and to create the 12th Judicial Circuit and to fix the time of holding the courts in the Districts." The bill was read the first time. Senator Armistead moved to suspend the rules and read the bill the second time, the motion was put and lost.

S B
No. 51. Senator Bunch introduced Senate bill No. 51. Entitled "An act to render our common School System more perfect" The bill was read the first time and placed on the Calendar.

S. B.
No. 52. Senator Pindall introduced Senate bill No. 52. Entitled "An act to Continue the Pulaski Chancery Court" The bill was read the first time and placed on the Calendar.

S B
No 45- Senate bill No. 45. Entitled "An act to fix the salaries of Governor, Supreme Judges and other officers named herein" was taken up and read the second time - and on motion of Senator Reagan was referred to the committee on Expenditures.

The President submitted for the consideration of the Senate the response of the Auditor of State to Senate resolution calling for statement of number of miles allowed Sheriffs in conveying ^{convicts} to the Penitentiary &c. as follows. "Statement, showing the number of miles allowed Sheriffs in conveying convicts from the County Seats of their respective Counties, in coming and returning from Little Rock and the number of guards employed from Oct 1st 1874 to January 22nd 1877. In Sections 4439 to 4445, Gaults Digest.

Counties	No. of Miles	No. of Con- vents 1874	No Guards 1874	No Convents 1875	No Guards 1875	No Convents 1876	No Guards 1876
Arkansas	170			2	3	1	2
Ashley	290			3	3	5	5
Baxter	340	1	1				
Beaton	240			1	1		
Boone	350			1	1	3	4
Bradley	200			1	1	2	1
Calhoun	250			1	1	1	2
Carroll	400			1	2		
Chicot by R 360 River	700			10	8	9	8
Clark	130			3	3	4	4
Clay	400						
Columbia	300			2	2	4	4
Conway	100			2	1	1	2
Craighead	320			1	2	2	2
Crawford	320	2	4	4	4	11	8
Crittenden	270			3	4	9	12
Crop	260			1	1	1	1
Dallas	160			1	1	3	1
Desha	200	1	1	4	8	9	14
Dorsey	150			1	2		
Drew	200	2	3	6	4	5	4
Fairview	60					1	1
Franklin	252	1	1	6	6	3	5
Fulton	360			1	2		
Garland	134			1	1	2	1
Grant	200					1	1
Green	360			1	2	1	1
Hempstead	250			1	2	13	14
Hot Spring	100					1	1
Howard	306			2	2	3	3
Independence	260			4	6	6	10
Izard	316						
Jackson	230	1	2	11	11	6	6
Jefferson	100	4	6	1	1	6	5
Johnson	200	1	1	2	2	2	2
Lafayette	320			2	3	1	1
Lawrence	260			4	4	6	4
Lee	210	2	2	8	7	15	17
Lincoln	160	4	4	6	11		
Little River	390			3	3	11	7
Logan	274			2	2	3	3
Lonoke	50			7	3	2	3
Mackison	400						
Marion	300					2	3
Miller	300			1	1	3	3
Mississippi	450					4	5

Counties	No. miles	Councils 1874	Guards 1874	Councils 1875	Guards 1875	Councils 1876	Guards 1876
Monroe	170	2	2	4	3	14	11
Montgomery	220					1	1
Nowada	230	1	2			4	5
Newton	400						
Ouachita	278			13	6	7	4
Perry	90					1	2
Phillips	400			27	52	24	34
Poinsett	320						
Polk	300			1	1	1	2
Pope	170			4	8	3	2
Prairie	136			3	3	5	9
Pike	250			1	2		
Pulaski				38	38	39	39
Randolph	320						
Saline	50			1		2	3
Scott	320	1	1			2	2
Seaway	240			2	5		
Sebastian	400			2	1	4	2
Serier	320			1	1	1	2
Sharp	300			1	2	1	2
St Francis	190	2	4	5	5	15	20
Stone	220			1	2		
Union	300	3	3	1	1	2	2
Van Buren	190						
Washington	470			4	3	3	5
White	100					2	2
Woodruff	200	4	3	4	3	9	14
Yell	200			4	3	2	1

"Signed"

John Crawford
Auditor of State.

Senator East moved that two hundred and fifty copies of the statement furnished by the Auditor be printed for the use of the Senate. The motion was put and lost, where Senator Kerr moved that the statement be referred to the committee on Expenditures and it was so ordered.

On motion of Senator Williams Mr Leo Pollock, representing the District Grand Lodge I. O. O. F. and B. F. W. was invited within the bar of the Senate. Whereupon Mr Pollock appeared and presented the following.

Office of the Secretary, District
Grand Lodge No. 7. I. O. B. B.
Little Rock Jan'y 23^d 1877.

To the Honorable Senate
of the State of Arkansas.

At the morning session of
this District Grand Lodge No. 7. Independent Order
B'nai B'rith the following was adopted unanimously.

Whereas This District Grand Lodge fully appreciates the
honor bestowed upon them by your honorable body.

Resolved. That This District Grand Lodge will with
pleasure avail themselves of the kind invitation of
your honorable body, by visiting the Hall of your
honorable body in session at 11½ o'clock A. M.
this day

Introduced by.

Mr S Marx. Gulf Lodge New Orleans
D Goslin, Dallas.

Sealed
under

Senator Johnson moved that Senator
Kerr be appointed a committee of one to notify the
District Grand Lodge that the Senate would be
ready at 11½ o'clock A M to receive that body.
The motion was put and adopted.

Senator Reagan
moved to reconsider the vote on the appointment
of Senator Kerr as committee of one. The motion
was put and carried. The question recurring
upon the motion of Senator Johnson, it was put
by the President and lost.

Senator Kerr moved
that Senator Johnson be appointed a committee
of one to notify the I. O. B'nai B'rith that the
Senate would receive that body at 11½ o'clock

Senator Tobey moved to lay the whole matter
on the table.

Senator Hampton moved to amend
the motion of Senator Kerr by substituting for
Senator Johnson "the Sergeant-at-Arms." The
amendment was accepted and the motion as
amended was put and adopted.

The special order of the day being the
consideration of the report of the committee on
elections in the contested election case of W J
Warwick against Samuel W Williams the Senate
proceeded to the consideration of the report when

Senate Chamber

Little Rock January 24th 1877

The Senate met pursuant to adjournment at 10 o'clock A.M. and was called to order by How J. K. Jones President of the Senate.

The roll was called by the Secretary and the following Senators answered to their names.

Armistead Blackwell Bunch Campbell Chism
Crowley Duffie East Fergusson Hampton Harris
Haycock Johnson Judkins Kerr Mulkey Storman
Pennington Pindall Reagan Sims Stanford Sullivan
Thrower Tipton Williams Wilson and Mr President = 28
Absent. Senators Hicks House and Tobey = 3

A quorum present

Prayer by The Rev S H Buchanan Chaplain

The Journal for the preceding day was read by the Secretary, approved and signed by the President and Secretary.

On motion of Senator Kerr the reading of Statement of Auditor was dispensed with.

Senator Hicks answered to his name.

On motion of Senator Johnson Senator Campbell was added to committee on memorials.

Senator Hampton introduced Senate Concurrent resolution S. C. R. No. 10. to reform the criminal laws of this State. which was read and on motion adopted.

On motion of Senator Judkins leave of absence to Senator House was extended for three days.

Senator Blackwell submitted the following resolution Resolved, That the Secretary furnish a late map of the State of Arkansas for the use of the Senate. which was on motion of Senator Blackwell adopted.

Senator Thrower moved that the Finance Committee be allowed to employ a clerk at a salary not to exceed four dollars per day.

Senator Kerr moved to amend by striking out "four" and inserting "three"

The motion was put and the amendment was adopted. The question recurring upon the adoption of the motion as amended it was put by the President and lost.

Senator Throver chairman of the committee on Finance submitted report as follows.

Mr President

Your committee on Finance to whom was referred Senate bill no. 29, a bill for an act to be entitled "An act to regulate compensation of members and Officers of the General Assembly" have had the same under consideration and instruct me to return the same recommending the adoption of the following amendments.

I. Strike out Sections One and Two.

Second. Amend Section Three by striking out after the word "receive" in the third line the word six and insert the word eight. Also in line six of same section after the word receive strike out the word six and insert the word eight. Also in 27th line of same section strike out the word five and insert the word six.

Third. Amend section five by striking out the figures 3022. & 3023. and insert the figures 3025. with the adoption of these amendments your committee recommend that the bill do pass. all which is respectfully submitted.

Signed

Throver

Chairman Finance Committee

Senator Ferguson moved that the report and bill be laid on the Table for the present, which motion was put and adopted.

Senator Blackwell chairman of committee on Expansion submitted the following report.

Mr President

Your committee to whom was referred Senate bill no. 31. "An act to amend Sections 5052 and 5th subdivision of 5054 Chapter 116 of Gault's Digest. have had the same under consideration and recommend that the word sixty wherever it occurs in said bill

be stricken out and the word one hundred be inserted, and as thus amended that it do pass.

"Signed"

Blackwell

Chairman.

The amendment was read the first time and on motion of Senator Williams the rules were suspended the amendment read the second time and adopted.

Pending discussion on engrossment of the bill as amended the President announced that the hour had arrived for consideration of Senate joint resolutions No's two and five special order for this hour, where on motion of Senator Pindall the resolutions were referred to the Finance Committee.

Senator Hicks moved that Senate bill No. 31, as amended be recommitted to committee on Expenditures. The motion was put and adopted.

On motion of Senator Pindall the committee was instructed to recommend amendments to the bill as suggested by Senator Williams and Senator Haycock.

Senator Williams moved to reconsider the vote by which the bill was recommitted. The motion was put and lost.

Senator Lipton chairman of committee on engrossed bills submitted the following report.

Mr President:

4-19/10/12 Your committee on engrossed bills to whom was referred Senate bills No. 12. Entitled "an act to authorize the several counties in this State to fund the outstanding indebtedness evidenced by bonds of said counties heretofore issued". Senate bill No. 7. entitled an act to repeal Section (2318) of Grant's Digest. Senate bill No. 11. Entitled an act to amend Section 3. of act No. 61. of the adjourned session of 1875 entitled an act to establish a court of Common Pleas in the counties therein named.

Senate bill No. 13, entitled an act to prevent the driving of stock out of their usual range by persons not owning or entitled to control the same.

Senate bill No. 14, entitled an act to amend Sections 163 & 164 of Grant's Digest.

Senate bill No. 41 entitled an act to provide for

X The election of a Physician to the Penitentiary, and Senate bill no. 20: entitled an act to regulate the collection of County and School District Taxes. beg leave to report that they have had the same under consideration and find them correctly engrossed. All of which is respectfully submitted.

"Signed"

Tipton.

Chairman.

Senator Bunch ~~chairman~~ of the Finance Committee submitted the following report.

Mr President,

X The committee on Finance to which was referred Senate bill No. 27, have had the same under consideration and instruct me to report the same back to the Senate with the recommendation that it lie upon the table.

"Signed"

Bunch

of said Committee

On motion of Senator Hicks the report of the committee was adopted.

Senator Blackwell chairman of Committee on Expenditures submitted the following report.

Mr President

Your committee

X to whom was referred Senate bill - No. 42. "An act for the relief of Isaac Murphy late Governor of Arkansas. direct me to report the same back to the Senate and recommend that it be rejected.

Signed

Blackwell

Chairman

Senator Ferguson moved that the report and bill be laid upon the table.

Senator Johnson moved to indefinitely postpone the report and bill.

The motion to lay on the table having precedence was put by the President and adopted.

Senator Hicks chairman of committee on Printing submitted the following report.

Mr President.

Your committee to whom was referred Senate bill No. 8. have had the same under consideration and beg leave to report the bill with the following amendments to wit: In the 10th line of Section one strike out "ten" and insert "twenty". In Section one line sixteen strike out the words "adjournment of the General Assembly" and insert "said copies have been delivered to him by the printing contractor".

In Section three. 31st line after the word "each" insert "public" and in the 32nd line after the word "assembly" insert "with the date of approval" and in the 35th line after the word "Governor" insert "and when so printed shall be intitled to full faith and credit in all the courts of this State". As thus amended we recommend that the bill do pass.

"Signed"

Hicks

Chairman.

The amendments was read the first time and on motion of Senator Hicks the rules were suspended the amendments read the second time and adopted.

On motion of Senator Hicks the bill as amended was ordered to be engrossed for the third reading.

Senator Hicks chairman of committee on Printing submitted the following report.

Mr President.

Your committee on Printing, have had the following resolution under consideration. That the committee on Printing

be instructed to inquire what documents accompanying the Governor's message should be printed and report to the Senate". beg leave to report that they have examined the documents and in their opinion it is not necessary to print any of said documents other than the Penitentiary report" of which we recommend the printing of five hundred copies for the use of the Senate.

Respectfully Submitted

Hicks

Chairman.

On motion of Senator Johnson the report of the Committee was adopted.

S.B. Introduction of bills being in order
No. 53. Senator East introduced Senate bill No. 53. Entitled "An act to donate the property known as the Arkansas Institute for the Blind situated in the City of Arkadelphia to the Arkadelphia High School". The bill was read the first time and placed on the Calendar.

S.B. Senator Blackwell introduced Senate bill No. 55.
No. 55. Entitled "An act to repeal sections 76. 77. 78. 79 and 80. of an act providing a general election law. approved January 23^d 1875. The bill was read the first time and placed on the Calendar.

S.B. Senator Mulkey introduced Senate bill No. 54.
No. 54. Entitled "an act to regulate the practice of Medicine and Surgery in the State of Arkansas. The bill was read the first time and placed on the Calendar.

S.B. Senate bill No. 47. entitled "an act to
No. 47 amend Section 1824. of Gantt's Digest" was taken up and read the second time and on motion of Senator Ferguson referred to the Judiciary Committee.

S.B. Senate bill No. 48 Entitled "an act for
No. 48 paying balance due for erecting the Arkansas Industrial University building" was taken up and read the second time and on motion of Senator Wilson referred to the Committee on Claims.

S.B. Senate bill No. 49. Entitled "an act to
No. 49 repeal Section 3720 of Gantt's Digest" was taken up and read the second time and on motion of Senator Norman referred to the Judiciary Committee.

S.B. Senate bill No. 50. Entitled "an act to
No. 50 alter the fifth, seventh and eighth Judicial Circuits of the State of Arkansas and to create the twelfth Judicial Circuit

and to fix the time of holding the courts in the Districts" was taken up and read the second time and on motion of Senator Armistead referred to select committee on redistricting the State.

S/B No. 51 Senate bill No. 51. Entitled "an act to render our common school system more perfect" was taken up and read the second time and on motion of Senator Bunch referred to the committee on Education.

S/B No. 52 Senator bill no. 52, entitled "an act to continue Pulaski Chancery Court" was taken up and read the second time and on motion of Senator Duffie referred to the judiciary committee.

S/B No. 12 Senator Haycock called up Senate bill no. 12, entitled "an act to authorize the several Counties in this State to fund the outstanding indebtedness evidenced by bonds of said Counties heretofore issued" The bill was ~~read the third time and~~ on motion of Senator Hicks ~~was~~ referred back to the committee on Engrossed bills.

S/B No. 7 Senate bill no. 7. Entitled "an act to repeal Section 2318 of Gaults Digest." was taken up and being read the third time was on motion of Senator Bunch placed upon its final passage.

The question being shall the bill pass? was decided in the affirmative Ayes=24 Nays=4

The following named Senators voted in the affirmative.

Mesrs. Armistead Blackwell Bunch Campbell Chism Crowley Duffie East Ferguson Hampton Harris Haycock Jenkins Mulkey Norman Reagan Sims Stanford Sullivan Throver Tipton Williams and Wilson.

Those voting in the negative were Mesrs Hicks Kerr Pindall and Mr President.

So the bill passed.

Absent Senators House Johnson and Pennington = 3

The question ~~then~~ being shall the title of the bill remain unchanged, there being no objection

it was so ordered.

Senate bill no. 13.
entitled. An act to prevent the driving of
stock out of their usual range by persons
not owning or entitled to control the
same" was taken up and being read
the third time was placed upon its final
passage.

The question being shall the bill
pass was decided in the affirmative

Ayes = 19 Noes = 9

Senators voting in the affirmative were
Messrs. Armistead Blackwell Bunch
Campbell Chism Ferguson Hampton
Harris Hicks Kerr Norman Pennington
Purdall Sims Stanford Tipton Tobey
Williams and Wilson

Those voting in
the negative were Messrs Crowley Duffie
East Johnson Judkins Mulkey Reagan
Sullivan and Mr President.

Absent Senators Haycock & House
Excused from voting. Senator Thramer.

So the bill passed.

The question then being
shall the title of the bill remain unchanged
there being no objection it was so ordered

Senator Tipton chairman of committee on
Engrossed bills reported Senate bill No. 12
correctly engrossed.

Senate bill no. 12 Entitled
~~then taken up and read the third time~~

B
no. 12. "An act to authorize the several counties
in this State to fund the outstanding
indebtedness evidenced by bonds of said
counties heretofore issued" was taken up
and read the third time.

Senator Hampton chairman of the committee
on elections requested that the papers in
the contested election case of W. J. Warwick
against Samuel W. Williams be returned to
the committee and it was so ordered.

Senator Blackwell submitted the following

Resolved, - That the Secretary of the Senate be authorized to get back from the House, Senate Memorial No. 2. which was on motion adopted.

The President submitted for the consideration of the Senate the following communication.

Convention of W W Dist. Apr. 2. No 7 Sec. B. B.
Odd Fellows Hall

Little Rock Jan'y 24th 1877

To The Hon President and Members
of the Senate of the State of Arkansas,

Dear Sirs,

In accordance with a resolution passed in this Convention I take pleasure to extend to your worthy body a kind invitation to visit our body at your convenience during the day.

Our hours of meeting are from 10 o'clock A.M. to 5 P.M. and if agreeable we would be pleased to receive your worthy body at some time during our session. I am Sirs

Yours Respectfully,

W. Almon.

Sec'y.

Wm. Almon

Senator Thrower moved to accept the invitation.

Senator Kerr moved to amend by saying we acknowledge the reception ^{of the invitation} and tender our thanks for the consideration.

Senator Johnson having yielded the floor for a motion to adjourn now claimed the right to the floor. The President decided that Senator Duffie was entitled to the floor, from which decision Senator Johnson appealed to the Senate. The question being, shall the decision of the Chair stand as the judgement of the Senate? it was put and decided in the affirmative, so the Chair was sustained.

Senator Pindall moved to amend the motion of Senator Thrower. That the Secretary be instructed to notify the order that the invitation is received and that the Senate has no authority to visit them in a body.

Senator Judkins moved that the Senate do now adjourn. The motion was put and adopted and the Senate adjourned.

Approved.

Attest
Jacob Frolich
Secretary

James H. Jones
President.

Senate Chamber

Little Rock January 25th 1877

The Senate met pursuant to adjournment at 10 o'clock A.M. and was called to order by Hon J K Jones President

The roll was called by the Secretary and the following Senators answered to their names.

Armistead Blackwell Bunch Campbell Chism Crowley Duffie East Ferguson Hampton Harris Haycock Hicks Johnson Judkins Kerr Mulkey Norman Pennington Pindall Reagan Sims Stanford Sullivan Throver Tipton Tobey Williams Wilson and Mr President = 30

Absent. Senator House. = 1.

A quorum present.

Prayer by Rev S H Buchanan Chaplain.

The Journal for the preceding day was read by the Secretary, approved and signed by the President and Secretary.

Under a suspension of the rules Senator East moved that the invitation of I.C.R.B. be accepted, the motion was put and adopted.

Senator Hampton chairman of Committee on Elections submitted the following.

Mr President

I have been directed by the committee on Elections to report to the Senate that said committee will need the services of a clerk and I am further directed to ask leave of the Senate to employ a clerk at a salary of not more than three dollars per diem

Signed

Hampton

Chairman.

On motion of Senator Haycock the committee on elections was authorized to employ a clerk at a salary not to exceed three dollars per diem.

The Sergeant-at-Arms here announced a message from the House of Representatives. The message was received as follows.

Hall House of Representatives
January 24th 1877.

Mr President

I am instructed by the House of Representatives to return at the request of your honorable body, Senate Memorial No. 2, Entitled "A memorial asking an appropriation to improve Fourche La Poudre", without any action on the part of the House upon the same.

Also House bill no. 2, entitled an act to repeal an act no. 85, of the adjourned session of 1875- Entitled "an act to protect sheep raising in this State".

Respectfully

Thomas W Newton
Clerk.

Senator Rindall Chairman of Committee on the Judiciary submitted the following report.

Mr President

Your committee to whom was referred Senate bill no. 38, being "an act to amend Section 9. of an act entitled "an act to regulate the licensing of dram shops and for other purposes approved May 30th 1874" have had the same under consideration.

I am directed by the committee to return the same with the following recommendation viz. Amend by adding the following Section.

Section. 2. That if any County Judge shall order, or any Clerk issue a license to keep a drinking Saloon or dram shop in any township or ward wherein the inhabitants have legally voted against said license. They shall be deemed guilty of a misdemeanor and on conviction shall be fined in any sum not less than one hundred dollars, and not exceeding one thousand dollars, and shall forfeit their offices.

And further amend by changing the number 2 to Section 3.

The passage of the bill as amended is recommended.

Respectfully Submitted

X J Rindall

Chairman

The amendment was read the first time and on motion of Senator Pindall the rules were suspended and the amendment was read the second time and adopted, and on motion the bill as amended was ordered engrossed for the third reading.

Senator Williams from the Judiciary committee submitted the following report.

Mr President

Your committee on the Judiciary to whom was referred Senate bill No. 21, being "An act to provide for issuing execution on certain judgments" have had the same under consideration and I am directed by the committee to return the same with the recommendation that it do not pass.

Respectfully submitted,
Williams,
for committee.

On motion of Senator Pindall the report was adopted

Senator Crowley from the Judiciary committee submitted the following report.

Mr President,

Your committee to whom was referred Senate bill No. 37, being "An act to fix the salary of the County and Probate Judge of Jackson County" have had the same under consideration and I am directed to return the same with the recommendation that it pass

Respectfully Submitted
Crowley
of Iowa.

On motion of Senator Haycock the report was received.

Senator Pindall chairman of Judiciary committee submitted report as follows.

Mr President

Your committee to whom was referred Senate bill No. 17, being "An act to amend Section 1699, of Gault's Digest," have had the same under consideration, and I am

directed by the committee to return the same with the recommendation that it pass.

Respectfully Submitted

X J. Pindall

Chairman

On motion of Senator Pindall the bill was ordered engrossed for third reading.

Senator Duffie from the committee on the Judiciary submitted the following report

Mr President,

Your committee to whom was referred Senate bill No. 26, being "an act to be entitled 'an act to amend Section One of an act entitled an act to prevent the firing of woods marshes or prairies &c', have had the same under consideration. I am directed by the committee to return the same with the recommendation that it do not pass.

Respectfully Submitted

Duffie for

Judiciary Committee

Senator Duffie moved to adopt the report

Senator Ferguson moved to recommit the report and bill to committee on the Judiciary the motion was put and lost.

Senator Kerr moved to lay the report and bill on the Table which motion was adopted.

Senator Hicks chairman of committee on Printing submitted the following report.

Mr President,

Your committee on Printing to whom was referred resolution in regard to public contracts beg leave to report the accompanying bill for the consideration of the Senate, which is respectfully submitted

Signed

Hicks

Chairman

S.B. The bill was read the first time and placed
No. 56 on the calendar.

Senator Wilson from the committee on the Judiciary submitted the following report.

Mr President

The committee on the Judiciary to whom was referred Senate bill No. 34, entitled "An act to amend Section 4287, of Gaule's Digest" have had the same under consideration. The committee is of opinion that the law intended to be enacted by the bill is already law and therefore return the bill with the recommendation that it do not pass.

Respectfully Submitted

Wilson

for the com.

Senator Wilson moved to adopt the report

Senator Ferguson moved to recommit the bill and report to the committee on the Judiciary the motion was put and adopted.

S.B. No. 8. Senator Hicks introduced Senate joint resolution No. 8, "In regard to counting the electoral vote for President of the United States." which was read the first time.

Senator Hicks moved to suspend the rules that resolution be read the second time. The motion was put and lost.

S.B. Senator Sullivan introduced Senate bill No. 57. Entitled "An act regulating mortgages on personal property" The bill was read the first time and placed on the calendar.

S.B. No. 58. Senator Wilson introduced Senate bill No. 58. Entitled "An act to regulate appeals and writs of error in criminal cases." The bill was read the first time and placed on the calendar.

S.B. No. 59. Senator Stanford introduced Senate bill No. 59. Entitled "An act to amend Section 2359, of Gaule's Digest." The bill was read the first time and placed on the calendar.

Senate memorial No. 2. "asking an appropriation to improve Fourch La Poudre" No. 2. was taken up and read the second time and on motion of Senator Blackwell was referred to the Committee on Rail Roads and other Internal improvements.

S B Under regular order Senate bill No. 53 Entitled No. 53 "An act to donate school property known as the Arkansas Institute for the Blind situated in the city of Arkadelphia" to the Arkadelphia High School" was taken up and read the second time.

Senator East moved to refer the bill to the committee on Education.

Senator Hicks moved to substitute "Committee on State Lands". The question being on the adoption of the substitute the motion was put and lost. The question recurring upon the adoption of the original motion was put and the motion adopted.

S B Senate bill No. 54 Entitled "An act to regulate No. 54 the practice of medicine and surgery in the State of Arkansas" was taken up and read the second time and on motion of Senator Hicks referred to the Committee on Education

S B Senate bill No. 55 Entitled "An act to repeal No 55 Sections 76. 77. 78. 79. and 80. of an act providing a general election law, approved January 23^d 1875." was taken up and read the second time and on motion of Senator Blackwell referred to the Committee on Elections

Senator Bunch called up senate bill No. 11. S. B. Entitled "An act to amend Section Three of No. 11 act No. 61. of the adjourned session of 1875 entitled an act to establish a court of Common Pleas in the Counties therein named."

Senator Harris introduced a substitute for Senate bill No. 11. The substitute was read the first time and on motion of Senator Harris the rules were suspended and the

substitute was read the second time.

Senator Williams moved that the substitute and original bill be recommitted to the Judiciary Committee. The motion was put and adopted.

S.B. No. 12. Senate bill No. 12. Entitled "An act authorizing the several Counties in this State to fund the outstanding indebtedness evidenced by bonds of said Counties heretofore issued", was taken up and read for information.

The question then being shall the bill pass?

It was decided in the affirmative Ayes = 23
Noes = 4

The following named Senators voted in the affirmative.

Mesrs. Armstrong Blackwell
Brunch Campbell Duffie Hampton Harris
Haycock Hicks Kerr Mulkey Norman
Pennington Puddall Reagan Sims Stanford
Sullivan Thrower Lipton Tobey Williams
and Mr President

Those voting in the negative were Mesrs. Whism Crowley
Ferguson and Jenkins.

Absent Senators
East House Johnson and Wilson = 4

So the bill passed.

The question being shall the title of the bill remain unchanged? There being no objection it was so ordered.

S.B. No. 14. Senate bill No. 14, Entitled "An act to amend Sections 163 and 164 of Gault's Digest" was taken up and being read the third time

The question was shall the bill pass?

It was decided in the affirmative
Ayes = 19 Noes = 9

The following named Senators voted in the

affirmative. Messrs

Blackwell Bunch
 Campbell Duffie ~~Ferguson~~ Hampton
 Harris Haycock Hicks Johnson Kerr
 Mulkey Pennington Pindall Sims Sullivan
 Lipton Tobey Williams and Wilson.

Those voting in the negative were Messrs
 Armistead Chism Crowley Ferguson
 Jenkins Norman Reagan Thrower and
 Mr President.

Excused Senator Stanford.
 Absent. Senators East and House. = 2

So the bill passed.

The question being Shall the title of the
 bill remain unchanged, there being
 no objection it was so ordered.

S B Senate bill No. 20. Entitled "An act to
 No. 20. regulate the collection of County and
 School District Taxes" was taken up and
 read the Third Time. and on motion
 of Senator Pindall was recommended to
 the committee on Education.

S B Senate bill No. 41. Entitled "an act to
 No. 41 provide for the election of a Physician to
 the Penitentiary" was taken up and
 being read the Third Time the

question was Shall the bill pass?

It was decided in the affirmative
 Ayes = 26 Noes —

The following Senators voted in the
 affirmative. Messrs.

Armistead Blackwell
 Bunch Campbell Chism Crowley
 Duffie Ferguson Hampton Harris
 Haycock Hicks Johnson Jenkins Kerr
 Mulkey Norman Pindall Reagan
 Stanford Sullivan Lipton Tobey Williams
 Wilson and Mr President. Negative none.
 Absent Senators East House Pennington & Thrower.

and Sims = 5-

So the bill passed.

The question then being shall the title of the bill remain unchanged, there being no objection it was so ordered.

Senator Johnson on leave introduced Senate S.B. bill No. 60. Entitled "An act to allow a special No. 60 term of the County Court of Miller County."

The bill was read the first time and placed on the Calendar.

On motion of Senator Crowley the Senate adjourned.

Approved,

James H. Jones
President.

Attest,

Jacob Frolich
Secretary

Senate Chamber
Little Rock January 26th 1877

The Senate met pursuant to adjournment at 10 o'clock A.M. and was called to order by the President:

The roll being called the following Senators answered to their names.

Armistead
Blackwell Bunch Campbell Chism Crowley
Ferguson Hampton Harris Haycock Hicks
Johnson Judkins Kerr Mulkey Norman
Pennington Stanford Sullivan Lipton Williams
Wilson and Mr President = 24

Absent Senators Duffie East House Pindall Sims
Thrower and Tobey = 7.

A quorum present.

Prayer by Rev L. H. Buchanan Chaplain

The Journal of the preceding day was read by the Secretary, approved and signed by the President and Secretary.

Senator Lipton asked and obtained leave of absence for Senator Sims on account of illness.

Senator Harris submitted a Memorial from Citizens of Mississippi County which was read by the Secretary and on motion of Senator Williams was referred to the Judiciary committee.

Senators Pindall Duffie Thrower and East answered to their names.

5-J-R Senator Williams submitted Senate Joint resolution
No. 9. proposing amendment to the Constitution
No. 9.

The resolution was read the first time and placed on the Calendar.

Senator Kerr submitted the following.

Whereas, The State Board of Finance in their report say " The Board has had

an extensive correspondence with persons holding evidences of the State indebtedness with a view to ascertain what could be done towards making such a settlement of it as would be fair and just and within the ability of the State to meet.

While in a general way the holders of the paper of the State have expressed a desire to settle the debt on such terms as might be equitable and within the probable resources of the State, there has not been so far as the Board has been advised any such concert of action among the creditors of the State as could result in any definite offer. The creditors have delayed any such step, saying that on account of the embarrassments growing out of the outstanding floating debt of the State, they did not find that the State could at present assume the payment of the interest on any new bonds which might be issued on the basis of such a settlement. They therefore express themselves as preferring to let the matter stand still until the ability and resources of the State can be more clearly ascertained, and whereas said correspondence and the recommendation of the Board thereon relate to a subject of most vital interest to the people of the State, Therefore, Resolved, That the board of Finance or such members of it as remain in office be requested to submit the entire correspondence alluded to in said report to the Senate Committee on Finance, whose duty it shall be to make report thereof to the Senate and make such recommendations touching the subject involved as in its judgement will not prejudice the rights of any, and will but subserve the interests of all concerned.

Signed

Kerr

of Sebastian

On motion of Senator Kerr the resolution was adopted...

Senator Hampton from the committee on Elections submitted the following.

Mr President

I have been directed by the committee on Elections to report to the Senate, that said committee have

had under consideration the action of the Senate had on the 23^d inst. by which on motion of Senator Haycock — "the committee on Elections was directed to take additional testimony as prayed for by the petition of the said Mr I Warwick".

The 76th section of the Election law of this State requires the contestant to give notice of points upon which the contest will be made and the names of two Justices of the Peace who will attend to the taking of the depositions. —

The committee are therefore uncertain, whether it was the purpose and wish of the Senate to have the committee to take the said depositions, or whether the law should be followed, and the said testimony taken by the magistrates, and then submitted to the committee for its consideration.

I am directed to inquire the will of the Senate in this regard.

The committee is also of opinion, that if it is to take the said testimony, the power of the Senate to compel the attendance of witnesses and the production of papers must be delegated to said committee by resolution or otherwise, spread upon the Journal. This has not been done, and the committee pray that said powers be conferred upon it, if it is the sense of the Senate that it shall take said depositions

Signed

Hampton

Chairman

Senator Haycock moved that the committee on Elections be directed to receive the testimony taken before two Justices of the Peace.

A message was here received from the House of Representatives by Chief Clerk Newton as follows.

Hall House of Representatives.

January 25th 1877

Mr President.

I am instructed by the House

of Representatives to inform your honorable body of the passage of House Joint Memorial No. 2, Entitled "A memorial to the Congress of the United States asking the passage of an act to facilitate the settlement of conflicts between the United States and the States having the benefit of the Swamp Land Grant of September 28th 1850.

And also of the adoption by the House of House Joint Resolution No. 5, entitled "A resolution providing for printing two thousand copies of Governor Miller's Inaugural address.

And also of the concurrence by the House in Senate Concurrent resolution No. 4 making the standing committees on Roads & Highways of the two bodies a joint committee.

And also of the concurrence by the House in Senate Concurrent Resolution No. 9, asking that the Judiciary committees of the two Houses be a joint committee on all proposed amendments to the Constitution"

And also of the concurrence by the House in Senate Concurrent Resolution No. 10, entitled "A Committee to reform the criminal laws of this State.

All of which is respectfully transmitted
 Thomas W. Stewlow
 Clerk.

Senator Kerr moved to amend the motion of Senator Haycock by striking out Justices of the Peace and directing the committee to take the testimony

Senator Duffie moved to amend the amendment that the committee have power to send for persons and papers. Motion adopted. and the amendment as amended was adopted.

The question being on the adoption of the motion of Senator Haycock as amended,

Senator Pindall moved to lay the report of the committee and accompanying papers on the table. The motion was put and lost.

Senator Judkins moved that the rules be suspended that a motion might be entertained for the reconsideration of the vote directing the committee on Elections to take additional testimony in the contested election case of W J Norwick against Samuel W Williams.

The motion was put and adopted. When

Senator Judkins moved that the vote by which the committee were authorized to take evidence be reconsidered. Upon this motion the Ayes and Noes were ordered and the roll being called the motion was adopted. Ayes = 20. Noes = 7.

The following Senators voted in the affirmative. Messrs.

Blackwell Bunch Campbell East Ferguson Hampton Harris Hicks Johnson Judkins Mulkey Norman Pennington Medall Reagan Sullivan Thrower Tipton Wilson and Mr President

Those voting in the negative were Senators Chism Crowley Duffie Armistead Haycock Kerr and Stanford.

Excused from voting Senator Williams.

Absent Senators House Sims and Loberg. = 3.

Senator Judkins moved that the proposed resolution in relation to the empowering the committee on Elections to take additional testimony, be indefinitely postponed.

Senator Johnson moved that the Senate proceed with the regular order of business.

The motion was put and lost.

Senator Thrower moved that the rules be suspended for the purpose of discussing the motion to indefinitely postpone. Motion adopted.

Senator Judkins withdrew the motion to postpone indefinitely.

Senator East moved that the committee on

Elections to whom was referred the matter of contest between Warwick and Williams be instructed to base their report upon the records and on such evidence as has been taken in accordance with existing laws.

Senator Kerr moved to postpone the further consideration of the subject till tomorrow morning at 11 o'clock.

The motion was put and adopted.

Senator Blackwell chairman of the committee on Expenditures submitted the following report:

Mr President,

Your committee to whom was re-referred Senate bill No. 31. A bill to be entitled an act to amend sections 5052 and 5th Subdivision of section 5054 Chapter 116 of "Hutchins Digest" have reconsidered the same and direct me to report it back to the Senate and recommend the following additional amendment, after the word period in sections One and two add "provided that no license shall be granted for a less period of time than that which may intervene between the date of the application for license and the end of the year"

Signed

Blackwell

Chairman

The amendment was read the first time and on motion the rules were suspended the amendment read the second time and adopted.

On motion of Senator Bunch the bill as amended was ordered engrossed for the third reading.

Senator Tipton chairman of Committee on engrossed bills submitted the following report.

Mr President,

Your committee on engrossed bills to whom was referred Senate bill No. 8, Entitled an act to amend an act to regulate the letting of public contracts, approved Nov. 28th 1874, also Senate bill No. 35, Entitled "An act authorizing the Treasurer to issue certificates of indebtedness in

certain cases and for other purposes.
Also Senate bill No. 36 Entitled "An act to amend the revenue laws of the State beg leave to report that they have had the same under consideration and find them correctly engrossed.

All of which is respectfully submitted
H. P. Lott
Chairman

S. B. No. 61. Senator Duffie introduced Senate bill No. 61. Entitled "An act in relation to evidence in criminal prosecutions and in all proceedings in the nature of criminal proceedings".

The bill was read the first time and placed on the calendar.

S B No 62 Senator Mulkey introduced Senate bill No. 62 Entitled "An act to amend Section 12. of an act entitled an act to regulate the sale of land belonging to the State".

The bill was read the first time and placed on the calendar.

S B No 63 Senator Duffie introduced Senate bill No. 63. Entitled "An act authorizing the Auditor to turn over certain records to the commissioner of State lands."

The bill was read the first time and placed on the calendar.

S J R No 8 Senate Joint Resolution No. 8. in regard to counting the electoral vote for President of the United States" was taken up and read the second time.

Senator Pindall moved to refer the joint resolution to the committee on Federal Relations

The motion was put and lost.

Senator Judkins moved to suspend the rules and have the resolution read the third time

The motion was put and lost. When Senator Pindall renewed his motion to refer to the Committee on Federal Relations which motion was put by the President and lost.

Senator Kerr moved that the Senate do now adjourn.

Senator Johnson called for the Ayes and noes when the motion to adjourn was put and lost.

Ayes = 16 Noes = 21

The following Senators voted in the affirmative

Messrs Crowley Kerr Norman Pennington Pindall and Throver =

Those voting in the negative were Messrs Armstrong Blackwell Bunch Campbell Chism Duffie East Ferguson Hampton Harris Hicks Johnson Jenkins Mulkey Reagan Stanford Sullivan Tipton Williams Wilson and Mr President.

Absent - Messrs Haycock House Sims and Tobey = 4

S B Senate bill No. 56. Entitled "An act supplementary and amendatory to an act entitled an act to regulate the letting of public contracts" was taken up and read the second time and on motion of Senator Hicks was ordered engrossed for the third reading.

S B Senate bill No. 57. Entitled "An act regulating mortgages on personal property" was taken up and read the second time.

Senator Johnson moved to amend the bill by striking out the word "register" wherever it occurs in the bill and inserting the word "recorder".

The amendment being read the first time on motion of Senator Johnson the rules were suspended. The amendment read the second time and adopted.

Senator Sullivan moved that two hundred and fifty copies of the bill as amended

be printed for the use of the Senate and that the bill be referred to the Judiciary Committee

The motion was put by the President and adopted.

S. B. No. 58. Senate bill No. 58. Entitled "An act to regulate appeals and writs of Error in criminal cases" was taken up and read the second time and on motion of Senator ^{Wilson} referred to the Judiciary Committee.

Senator Harris moved that the Senate do now adjourn.

The motion was put and lost.

S. B. No. 59. Senate bill No. 59. entitled "an act to amend Section 2359 of Gault's Digest." was taken up and read the second time and on motion of Senator Haycock referred to the Committee on Elections.

S. B. No. 60. Senate bill No. 60. Entitled "An act to allow a special Term of the County Court of Miller County" was taken up and read the second time and on motion of Senator Johnson referred to the Judiciary Committee.

S. B. No. 37. Senate bill No. 37. Entitled "an act to fix the salary of County and Probate Judge of Jackson County." was taken up and being read the third time

The question was. Shall the bill pass? which was decided in the affirmative

Ayes = 21 Noes = 1

The Senators voting in the affirmative were.

Messrs Armstrong Blackwell Bunch Campbell Chism Crowley Daffie Ferguson Harris Haycock Hicks Johnson Judkins Mulkey Pennington Pundall

Stanford Sullivan Tipton Williams and Wilson.

In the negative Mr President.

Absent Senators Duffie Hampton House Kerr Norman Reagan Sims Thrower and Tobey = 9

So the bill passed.

The question then being shall the title of the bill remain unchanged, there being no objection it was so ordered.

Senator Williams moved that the Senate do now adjourn, upon which motion Senator Johnson called for the Ayes & Noes

The question being put was decided in the affirmative.

Ayes = 15 Noes = 8.

The following Senators voted in the affirmative

Mejors Blackwell Bunch Campbell Crowley Harris Haycock Judkins Mulkey Pennington Pindall Stanford Sullivan Thrower Tipton and Williams.

Those voting in the negative were Mejors Armistead Chism Duffie Ferguson Hicks Johnson Wilson and Mr President.

Absent Senators East Hampton House Kerr Norman Reagan Sims and Tobey = 8

So the Senate adjourned.

Approved

Attest

Jacob Frolich
Secretary

James K. Jones
President.

Senate Chamber

Little Rock January 27th 1877

The Senate met pursuant to adjournment at 10 o'clock A.M. and was called to order by Hon. J. K. Jones President of the Senate

The roll was called by the Secretary and the following Senators answered to their names.

Armistead Blackwell Bunch Campbell Chism
Crowley Duffie East Ferguson Hampton Harris
Hicks Johnson Judkins Kerr Mulkey Storman
Pennington Pindall Reagan Sullivan Throver Tipton
Lobey Williams Wilson and Mr President = 27

Absent Senators Haycock House Sims and Stanford = 4

A quorum present.

Prayer by Rev D. H. Buchanan Chaplain.

The Journal for the preceding day was read by the Secretary approved and signed by the President and Secretary.

Senator Tipton asked and obtained leave of absence for Senator Sims for the day on account of illness.

A message was here received from the House of Representatives by Chief Clerk Newton as follows.

Hall House of Representatives
January 26th 1877

Mr President

I am instructed by the House of Representatives to inform your honorable body of the passage by the House of House bill No. 26, entitled "An act entitled an act to repeal an act, creating Courts of Common Pleas in Faulkner and Mississippi Counties"

Also of the passage by the House of House Joint Resolution No. 1, entitled "A memorial to the Congress of the United States asking for the establishment of a Hospital at Hot Springs in Garland County Arkansas".

Also of the concurrence by the House in Senate Concurrent Resolution No. 5. "Asking the concurrence of the House in appointing a joint committee to memorialize the Congress of the United States in reference to the Hot Springs reservation" and of the appointment by the House of the following named members on the part of the House as such committee, to wit: Messrs Rector, Samson Rolson and Floyd.

All of which is herewith respectfully transmitted

Thomas W Newton
Clerk

On motion of Senator Williams Col John Robinson was invited to a seat upon the floor of the Senate.

Senator Pindall chairman of the Judiciary committee submitted the following report.

Mr President

The committee on the Judiciary to whom was referred House Resolution No. 16. being "A bill to be entitled an act for creditors of the estate of deceased persons to sell real estate to pay debts of said persons in certain cases" have had the same under consideration and have made the following amendment thereto, viz. amend by striking out in Section One the words "of any county wherein said deceased person had lands lying at the time of his death" and insert the words "having jurisdiction of the estate."

Amend Section Two. by inserting after the word "demand" in the first line the words "in writing" and also by striking out the words in the second section in fourth line from "in" to the word "situated" in fifth line inclusive.

The passage of the bill as amended is recommended.

Respectfully Submitted

X J Pindall
Chairman.

The amendment was read the first time and on motion of Senator Pindall the rules were suspended. The amendment was read the second time and on motion of Senator Williams the amendment was adopted.

Senator Johnson from the committee on the Judiciary submitted the following report.

Mr President

The committee on the Judiciary to whom was referred Senate bill No. 46. being "an act to regulate the mode of proposing and voting upon amendments to the Constitution of Arkansas." have had the same under consideration. I am directed to return the same with the recommendation that it pass.

Respectfully submitted
Johnson
for Committee.

On motion the report was received and the bill was ordered to be engrossed for the third reading.

Senator Duffie from the Judiciary committee submitted the following report.

Mr President

The committee of the Senate on the Judiciary to whom was referred Senate bill No. 18. An act to protect employees of Rail Road corporations and persons who have stock killed in the operation of Rail Roads &c" have had the same under consideration.

I am directed to return the bill with the recommendation that it be printed.

Respectfully submitted
Duffie for
Committee.

Senator Pindall moved that two hundred and fifty copies of the bill be printed for the use of the Senate and that the bill be recommitted to the committee on the Judiciary.

The motion was put and adopted.

Senator Bunch chairman of The committee on Rail Roads and other Internal Improvements submitted the following report.

Mr President

The committee on Rail Roads and other Internal Improvements to which was referred Senate Memorial No. 2. in relation to the improvement of the River Fourche La Pave. have had the same under consideration and recommend the following amendment viz: add after the word "snags" "and bending timber" and as so amended recommend its adoption

Signed

Bunch

Chairman Committee

The amendment was read the first time and on motion of Senator Bunch the rules were suspended and the amendment was read the second time and on motion of Senator East the amendment was adopted and the memorial was ordered engrossed.

Senator Judkins from the Judiciary committee submitted the following report

Mr President

The committee on the Judiciary to whom was referred Senate bill No. 10. "An act to regulate marriages approved March 6th 1875 be repealed" have had the same under consideration.

I am directed by the committee to return it without recommendation.

Respectfully Submitted

Judkins

for Judiciary Committee.

On motion of Senator Storman the report was adopted.

Senator East chairman of select committee submitted the following report.

Mr President

Your special committee appointed to co-operate with a like committee of the House in informing the Hon A H Garland of

his election to the United States Senate for a term of six years from the 4th day of March next have discharged that duty and ask leave to submit the following correspondence as their report.

C D East

Chairman of Committee.

Little Rock Arkansas

Jan'y 25th 1877.

Hon A H Garland

The undersigned a joint committee of the Senate and House of Representatives are charged with the pleasing duty of informing you of your election to the Office of United States Senator for the term of six years from the fourth day of March next.

Your election by an almost unanimous vote of both houses of the Legislature in which a majority of your political opponents supported you is a fitting acknowledgement of your valuable services to our State and we congratulate you upon your well merited preferment.

Very Respectfully

C H Rice

W B Tate

H H Coleman

House
Committee

C D East

L H Sims

Bradley Bunch

Senate
Committee

Little Rock

January 25th 1877

Messrs C D East C H Rice and others

Joint Committee to

Qualify

Your very flattering communication of this date giving me official notice of my election to the United States Senate from this date by the Legislature now in session for the term of six years from the 4th of March next has been received. I most sincerely appreciate the very high compliment paid me and while I am not vain enough to hope to meet the expectations of those who have thus honored me, I can assure them through you, that I shall make every exertion

to do so, and to use and exercise the trust confided to me for the best interests of all the people of the State and the United States as well.

To those of the republican party who voted for me I beg leave to say, responding to the separate communication of Hon. L. H. Rice that I am gratified they found it consistent with their views of public policy to repose this confidence in me, and if my conduct in the past justifies this, it will be my pride in the future to retain the same, and to place them in no false or unjust attitude towards the true interests of our common country.

With high regard and esteem

I am truly Your obt. servt.

A. H. Garland

Little Rock January 25th 1877

Hon. A. H. Garland

I, as a member of a committee created under a resolution of the Honorable the House of Representatives of the General Assembly of the State of Arkansas to notify you of your election to the United States Senate. in addition to the words of the committee, beg leave to submit. — That you have been elected to and supported for that honorable position by the members of your own party and by the (by no means uncertain voice of the people) of our grand old commonwealth is nothing astonishing.

Still it may not be out of place for me as a member of the committee and a conceded republican to advise you of the reasons that prompted the votes of a majority of the members of that party who heretofore have been found opposing you on many a political field.

You found the government in confusion. You have restored peace.

You found human life insecure and uncertain. You have vouchsafed and given protection to all, regardless of condition or race.

You found financial prostration — You have built up her credit.

You found our State looked upon with suspicion and distrust. You have by your judicious

administration placed her name high upon the roll of States for integrity and honor.

In fact we believe that you have fully shown as Arkansas's favorite son that you knew her wants, and you

have as fully anticipated them in their fruition. With a firm and unyielding hand, you have guided the ship of State until to day she has become the peer of her proudest sisters in our grand constellation of States.

We are open to censure for our votes in this matter; so our party holds pay. But of this thing be assured as time develops all things, we are fully certain that the intelligence and moral worth of that party whose principles have stood the test of ages will approve of our course in materially assisting in the recognition of that great principle of American Government. That the honest and faithful services of an honest and faithful public servant shall not pass from the memory of her people.

Respectfully to

to H. Rice

Jefferson County.

On motion of Senator East the report was received and the committee discharged.

S J-R No. 9. Senate Joint Resolution No. 9, proposing an amendment to the Constitution was taken up and read the second time and on motion of Senator Williams referred to the Judiciary Committee.

S B No 61 Senate bill No. 61, entitled "An act in relation to evidence in criminal prosecutions and in all proceedings in the nature of criminal proceedings" was taken up and read the second time and on motion of Senator Duffie referred to the Judiciary Committee.

S B No. 62 Senate bill No. 62, entitled "An act to amend Section 12, of an act entitled an act to regulate the sale of land belonging to the State" was taken up and read the second time and on motion of Senator Johnson referred to the committee on State lands.

S B No 63 Senate bill No. 63, entitled "An act authorizing the Auditor to turn over certain records to the Commissioner of State lands" was taken up and read the second time and on motion of Senator Duffie

referred to the committee on State Lands.

S. J. R. Senate Joint Resolution No. 8. "in regard to counting No. 8. the electoral vote for President of the United States" was taken up and read the third time.

Senator Findall moved to refer the resolution to the committee on Federal relations on which motion Senator Hicks called for the Ayes & Noes.

The motion was put by the President and lost.

Ayes = 9 Noes = 19

Senators voting in the affirmative were Messrs. Crowley Duffie East Hampton Kerr Pennington Findall Stanford and Throver

Those voting in the negative were Messrs. Armistead Blackwell Bunch Campbell Chism Ferguson Harris Johnson Jenkins Mulkey Storman Reagan Sullivan Tipton Tobey Williams Wilson and Mr President.

Absent. Senators Haycock House and Sims = 3.

The question being Shall the Resolution be adopted it was decided in the affirmative.

Ayes = 18. Noes = 9.

The following named Senators voted in the affirmative.

(Messrs. Armistead Blackwell Bunch Campbell Chism Duffie Hampton Harris Hicks Johnson Mulkey Storman Stanford Sullivan Tipton Williams Wilson and Mr President.

Those voting in the negative were Messrs. Crowley East Ferguson Jenkins Kerr Pennington Findall Reagan and Throver

Excused from voting. Senator Tobey.

Absent Senators Haycock House and Sims = 3

So the resolution was adopted.

The title of the resolution was read and adopted.

Senator East explained his vote as follows.

Mr President.

In voting against this resolution I wish to place myself on record as saying that I shall hail with gladness a peaceable solution of this much vexed question of a Presidential contest but am unwilling to say with emphasis that I believe the compromise proposed in accordance with the Constitution. In my humble opinion the complications now existing are the legitimate results of flagrant violations of the Constitution, and submit that the easiest and most natural solution will be found in a strict compliance with the Constitution, and not in a compromise with political parties.

Signed

O D East.
of Pike.

A message was received from the House of Representatives by Chief Clerk Newton as follows

Hall House of Representatives
January 27th 1877.

Mr President

I am instructed by the House of Representatives to inform your honorable body of the passage of House Bill No. 19, Entitled "A bill to be entitled an act to change the time of holding the probate Court of Little River County" and herewith respectfully transmit the same for your favorable consideration.

Thomas W Newton,
Clerk.

On motion the Senate adjourned.

Approved

Attest:

Jacob F. White
Secretary.

James H. Jones
President.

Senate Chamber

Little Rock January 29th 1877

The Senate met pursuant to adjournment at 10 o'clock A.M. Hon J. K. Jones presiding.

The roll was called by the Secretary and the following Senators answered to their names.

Armistead Blackwell

Bunch Campbell Chism Crowley Duffie East
Ferguson Hampton Harris Hicks House Johnson
Kerr Mulkey Storman Pennington Pindall Sims
Stanford Sullivan Throver Lipton Tobey Williams
and Mr President. = 27

Absent Senators Haycock Judkins Reagan and Wilson = 4

A quorum present

Prayer by Rev S. H. Buchanan Chaplain.

The Journal for Saturday January 27th was read, approved and signed by the President and Secretary

Senators Judkins and Wilson answered to their names.

Senator Storman asked and obtained leave of absence for Senator Reagan for the day

Senator Hicks asked and obtained indefinite leave of absence for Senator Haycock

Senator Sims, leave being granted submitted the following.

Mr President,

I desire to place myself on the record of the Senate on the Resolution in support of the action of Congress in the pending election of President of the United States.

1st I assume that the peace prosperity and tranquility of the people of the United States depends upon the maintenance, acquiescence, and a just interpretation of the Constitution of the United States, and to abetain from all doubtful and implied powers. Or to enforce a power to meet contingencies is dangerous and unwise.

The Legislatures of the States and Congress are only the agents of the people to transact the public business and not to alter or amend the Federal or State Constitutions by indiscreet party construction for power or place at the expense of the letter or spirit of either instrument.

Second. — And I affirm that there is no warrant found in the Constitution of the United States to enforce any interpretation for individual or party purposes in conflict with the public will expressed through the ballot box in constitutional manner and form and legitimately transmitted to the seat of Government and delivered to the proper person or department.

Third. — And we believe that we express the sentiment of the people of Arkansas when we declare, that they sincerely desire the perpetuation of the General Government of the United States and we believe that to obtain such desire can only be realized by a legitimate construction and enforcement of the time honored instrument, the Constitution of our fathers.

Fourth. — Arkansas deprecates, and will, ~~use any~~ ~~and~~ all efforts to shape or construe its power, to enhance or elevate any man, or man to office by infringement or forced construction, to suit party purposes, in or out of power, now or hereafter. She was patient in trial, may she be wise in her present and advancing prosperity.

Senator Williams submitted the following resolution

Resolved. That the Secretary be required to mail to each paper published in this State a copy of all Senate bills and Joint Resolutions which may be printed. and fifteen cents per day postage be allowed him for that purpose.

On motion of Senator Williams the resolution was adopted.

S.C.R. Senator Campbell submitted Senate Concurrent No 12 resolution No. 11. To abolish Rule 10 and amend Rule 12. of Joint Rules.

The resolution was read and on motion of Senator Campbell adopted.

S.C.R. Senator Duffie submitted Senate Concurrent resolution No. 12. asking joint committee to inquire what legislation is necessary to complete Asylum for the Insane.

The resolution being read was on motion of Senator Duffie adopted. where the President announced as such committee on the part of the Senate Messrs Duffie Wilson and Sullivan.

Senator Chism submitted the following.

Whereas it has been ruled by the Courts of this State that absconding debtors and others who attempt to avoid the payment of their just and honest debts, are entitled to the exemptions provided for in sections One and two of Article Nine of the Constitution of this State. and whereas it has been held by other Courts of the State, that the property of such debtors under the attachment laws can be subjected to the payment of all just and lawful debts of said debtors; Therefore

Resolved. — That the committee on the Judiciary be instructed to inquire which of these rulings is lawful, and what legislation is necessary, if any, to define what constitutes residence in this State, and that they report by bill or otherwise

The resolution being read was, on motion of Senator Chism adopted.

S.M. no 5- Senator Tobey submitted Senate Memorial No. 5. in reference to exchange of property for the use of the Insane Asylum

Which was read by the Secretary and laid on the Table subject to call.

Senator Wilson Chairman of Committee on Claims submitted the following report.

Mr President

The committee on Claims to whom was referred Senate bill No. 48.

to be entitled "an act for paying balance due

for erecting the Arkansas Industrial University building" have had the same under consideration and instruct me to report the same back and recommend its passage.

Respectfully Submitted

A W Wilson
Chairman

On motion the report was received.

Senator Blackwell Chairman of the committee on Expenditures submitted the following report.

Mr President

Your committee to whom was referred Senate bill No. 45. A bill for an act to fix the salaries of Governor, Supreme Judges and other officers herein named" have had the same under consideration and direct the following amendments.

In sections One and two strike out the numbers 2500 and insert 3000 and as thus amended that it do pass.

"Signed"

Blackwell

Chairman

The amendment was read the first time and on motion of Senator Blackwell the rules were suspended the amendment read the second time.

On motion of Senator Ferguson the bill was laid on the table subject to call.

The introduction of bills being the regular order,

S. B. Senator Williams introduced Senate bill No. 64, Entitled "An act to amend Section No. 64 1028 concerning bonds of County Treasurers and to require County Treasurers to give sufficient bond".

The bill was read the first time.

S. B. Senator Chism introduced Senate bill No. 65. No. 65 Entitled "An act to amend Section 1028 of

Gaults Digest requiring County Treasurers to give bond

The bill was read the first time and on motion of Senator Williams the rules were suspended and the bill was read the second time and referred to the Judiciary Committee.

On motion of Senator Williams the rules were suspended and Senate bill no. 64. was read the second time and referred to the Judiciary Committee.

S.B. Senator Hicks introduced Senate bill no. 66. Entitled No. 66. "An act to protect widows and orphans in the exemption of property from sale upon execution and for other purposes".

The bill was read the first time and placed on the calendar.

S.B. Senator Lobey introduced Senate bill no. 67. Entitled No. 67. "An act to prevent frauds in elections".

The bill was read the first time and on motion of Senator Lobey the rules were suspended, the bill read the second time and referred to the committee on the Judiciary.

S.B. Senate bill No. 8. Entitled "An act to amend an act to regulate the letting of public contracts approved Nov 28th 1874" was taken up and read the third time and on motion of Senator Duffie was recommitted to the committee on engrossed bills.

On motion of Senator Williams Genl Morrow Commandant United States Arsenal, was invited to a seat on the floor of the Senate.

Senator Reagan answered to his name.

S.B. Senate bill no. 10. Entitled "That an act to regulate marriages, approved March 6th 1875 be repealed" was taken up, and being read the third time the question was, Shall the bill pass, which was decided in the negative.
Ayes = 7. Noes = 21.

The following named Senators voted in the affirmative

Meprs Blackwell Crowley Hampton
Storman Pindall Stanford and Mr President

Those voting in the negative were Meprs
Armistead Bunch Campbell Chiam Duffie
East Ferguson Harris Hicks House Johnson
Jenkins Kerr Mulkey Punnington Reagan Sims
Sullivan Tipton Tobey and Williams.

Absent Senators Haycock Throver and Wilson = 3

S. B. Senate bill No 35 Entitled "An act authorizing
No. 35. The Treasurer to issue certificates of indebtedness
in certain cases and for other purposes". was
taken up and read the third time. and on
motion of Senator Pindall was referred to the
Judiciary Committee.

S B Senate bill No. 36, Entitled "An act to amend
No. 36. the revenue laws of the State" was taken up
and being read the third time.

The question was Shall the bill pass?
which was decided in the affirmative

Yeas = 14 Nays = 11

The Senators voting in the affirmative were
Meprs Crowley Duffie Ferguson Hampton
Hicks House Johnson Jenkins Storman
Reagan Stanford Sullivan Throver and
Mr President

Those voting in the negative
were Meprs Armistead Bunch Campbell
Chiam Harris Mulkey Punnington Pindall
Sims Tipton and Williams

Excused from voting Senators Blackwell and
Tobey.

Absent. Senators East Haycock Kerr and
Wilson = 4

So The bill passed.
The title of the bill was read and adopted

Senator Ruffie moved that the Senate do now adjourn.

The motion was put and adopted and the Senate adjourned.

Approved

Attest

Jacob Frolich
Secretary

James K. Jones
President.

Senati Chamber

Little Rock Jan'y 30th 1877

The Senate met pursuant to adjournment at 10 o'clock A.M. Hon J K Jones presiding.

The roll was called and the following Senators answered to their names.

Armistead Blackwell
Bunch Campbell Chism Crowley Duffie
East Ferguson Hampton Harris Hicks House
Johnson Jenkins Kerr Mulkey Storman
Kunnington Findale Reagan Sims Stanford
Sullivan Tipton Tobey Williams Wilson and
Mr President = 29

Absent Senators Haycock and
Thresher = 2.

A quorum present.

Prayer by Rev. W B Flippen

The Journal for the preceding day was read by the Secretary, approved and signed by the President and Secretary.

Senator Williams moved that the Secretary be allowed a sufficient sum to pay postage on printed bills ordered to be mailed to the news papers published in this State.

The motion was put and adopted.

Senator Tipton Chairman of the committee on Engrossed bills submitted the following report

Mr President

Your committee on Engrossed bills to whom was referred Senate bill No. 8, Entitled an act to amend an act to regulate the letting of public contracts, approved Nov 28th 1874. beg leave to report that they have had the same under consideration and find it correctly engrossed. All of which is respectfully submitted.

"Signed"

Tipton

Chairman

S.B. No. 68. The introduction of bills being in order Senator Williams introduced Senate bill No. 68. Entitled "An act to amend Section 841. of Gaults Digest and to legalize acknowledgments heretofore taken before County and Probate Judges"

The bill was read the first time and placed on the calendar.

A message was here received from the House of Representatives by Chief Clerk Newton as follows

Hall House of Representatives
January 29th 1877

Mr President.

I am instructed by the House of Representatives to inform your honorable body of the passage of House Concurrent resolution No. 3. "In commendation of Ex Governor A H Garland"

And also of The passage by the House of "House Concurrent resolution No. 2. A resolution requiring the Clerk of the House of Representatives and the Secretary of the Senate to report to their respective bodies whether all Stationary, printing, paper, committee rooms and fuel for the use of this General Assembly, and the department reports recently published have been and are being furnished in accordance with Section fifteen of Article nineteen of the Constitution of the State of Arkansas. and herewith respectfully transmit the same for your favorable consideration

Thomas W Newton
Clerk,

And also the following:

Hall House of Representatives,
January 30th 1877

Mr President.

I am instructed by the House of Representatives to inform your honorable body of the passage by the House of House substitute for House bill No. 92. entitled "An act to continue in force the Charter of the Iron Mountain and Helena Rail Road Company, and to extend the

time of the completion of the Rail Road of said Company, and herewith respectfully transmit the same for your favorable consideration

Thomas W Newton
Clerk,

Senator Throver answered to his name.

S. B. Senator Storman introduced Senate bill No. 69.
No. 69, entitled "An act to define and punish Vagrancy."

The bill was read the first time and placed on the Calendar

S B Senator House introduced Senate bill no. 70.
No. 70, entitled "An act amendatory of existing laws in regard to the publication of legal notices."

The bill was read the first time and placed on the Calendar

H B On motion of Senator House the rules were
No 92 suspended and House bill no 92. Entitled "An act to continue in force the Charter of The Iron Mountain and Helena Rail Road company and to extend the time of the completion of the rail road of said company." was taken up and read the first time and the rules being further suspended the bill was read the second time and referred to the Committee on Rail Roads and other internal improvements with instructions to report at the earliest practicable time.

S B Senator Williams introduced Senate bill No. 71.
No 71 Entitled "An act to amend an act entitled an act to encourage mining and manufacturing in the State of Arkansas, approved Feb 16th 1875."

The bill was read the first time and placed on the Calendar.

S B Senator House introduced Senate bill No. 72.
No 72 Entitled "An act to prevent unjust ~~and excessive~~ discrimination and excessive charges by the different Rail Roads of this State for transporting freight."

The bill was read the first time and placed on the calendar.

S. J. R. Senator Williams introduced Senate joint resolution No. 10. "a proposed amendment to the Constitution of this State" which was read the first time and placed on the calendar.

S. B. Senator Bunch introduced Senate bill No. 73. entitled No. 73. "An act to amend section 1046 of Grant's Digest"

The bill was read the first time and placed on the calendar.

S. B. Senator Johnson called up Senate bill No. 26. Entitled "An act to amend section One of an act No. 26. entitled an act to prevent the firing of woods marshes or prairies &c" which was read by title and on motion of Senator Johnson re-committed to the Judiciary Committee.

S. B. Senate bill No. 66. entitled "An act to protect No. 66. widows and orphans in the exemption of property from sale upon execution and for other purposes" was taken up and read the second time and on motion of Senator Hicks referred to the committee on the Judiciary.

S. B. Senate bill No. 48. Entitled "An act for paying No 48 balance due for erecting the Arkansas Industrial University building" was taken up and on motion of Senator Wilson laid on the table subject to call.

H- J- R. House Joint Resolution No. 5. providing for printing two No 5- thousand copies of Gov Millers Inaugural address. was taken up and read the first time and on motion of Senator Hicks referred to the committee on Printing.

S. B. Senate bill No. 8. entitled "an act to amend an No. 8. act to regulate the letting of public contracts approved Nov 28th 1874." was taken up and read the third time.

Senator Kerr moved that the vote by which the bill was put upon its third reading be

reconsidered.

The motion was put and adopted.

On motion of Senator Kerr the bill was laid upon the table subject to call.

H J M House Joint Memorial No. 2. "A memorial to the
No. 2. Congress of the United States asking the passage of an act to facilitate the settlement of conflicts between the United States and the States having the benefit of the Swamp land grant of Sept 28th 1850" was taken up and read the first time and placed on the Calendar.

H J M House Joint Memorial No. 1. "A memorial to the
No. 1. Congress of the United States asking for the establishment of a Hospital at Hot Springs in Garland County" was taken up and read the first time.

On motion of Senator Pennington the rules were suspended the memorial read the second time and referred to the joint committee on Hot Springs Reservation.

H. B. House bill No. 19. Entitled "An act to change
No. 19. the time of holding the Probate Court of Little River County" was taken up and read the first time and placed on the calendar.

H. B. House bill No. 26. entitled "an act entitled an
No 26 act to repeal an act creating Courts of Common Pleas in Faulkner and Mississippi Counties" was taken up and read the first time.

On motion ^{ofington} Harris the rules were suspended and the bill was read the second time.

On motion of Senator Kerr the bill was referred to the Judiciary Committee.

On motion of Senator Wilson Hon A W Dismore was invited to a seat on the floor of the Senate.

On motion of Senator Kerr Judge Bress of Washington County was invited to a seat on the floor of the Senate.

A message from the House of Representatives by assistant Clerk Holland was received as follows.

Hall House of Representatives
January 30th 1877

Mr President

I am instructed by the House of Representatives to inform your honorable body of the passage by the House, of House bill no. 123 Entitled "A bill for an act to be entitled an act to amend section one of an act entitled an act to amend section 3101. of Gauley Digest and for other purposes, approved March 5th 1875." and herewith respectfully transmit the same for your favorable consideration

Thomas W Austin
Clerk,

Senator Burch was called to the chair.

H.B. No 123 Senator Jones called up House bill no. 123. Entitled "An act to amend section one of an act to amend section 3101. of Gauley Digest and for other purposes, approved March 5th 1875."

The bill was read the first time and on motion of Senator Jones the rules were suspended and the bill was read the second time and made special order for tomorrow immediately after the reading of the Journal

How of J. Hanna, Col John Carrielle Capt. J. H. Rodgers and J. W. Collins were invited to seats upon the floor of the Senate.

Senator Jenkins moved that the Senate take a recess till 7 o'clock P.M.

The motion was put and lost.

S.C.R. No. 13. Leave being granted Senator Throver introduced Senate Concurrent Resolution No. 13. "Resolution for a joint session to elect two members of the Finance Board"

The resolution was read and on motion of

Senator Duffie was adopted.

Senator Throover submitted the following

Resolved by The Senate of The State of Arkansas
That the Treasurer of the State be and is
hereby requested to specifically report to this
body how much money in pursuance
of a contract made by the State Board of
Finance with Messrs Latham Alexander
and Company for the purpose of defraying
the current expenses of the State Government
for the year ending the first of July A.D.
1877 was received on the October and
January installments and how the same
has been by him disbursed.

Signed
Throover
of Ouachita

On motion of Senator Johnson the
resolution was adopted

H. B. No. 2. House bill No. 2. entitled "an act to repeal
No. 2. an act to protect and encourage sheep raising
in this State" was taken up and read the
first time.

Senator Pennington moved to suspend the
rules and have the bill read the second
time.

The motion was put and lost.

The President of the Senate resumed the chair.

S B No. 45 Senator Reagan called up Senate bill No. 45.
entitled "an act to fix the salaries of
Governor Supreme Judges and other officers
named herein".

The amendment to the bill
was read and adopted.

On motion of Senator Jenkins the bill was
ordered engrossed.

Senator Mulkey asked and obtained
indefinite leave of absence for Senator Hicks

Senator Judkins moved that the Senate take a recess till 7 o'clock P.M.

~~The motion was put and lost.~~

Senator Norman moved that the Senate do now adjourn.

The motion was put and adopted and the Senate adjourned.

Approved

Attest:

Jacob Frolich
Secretary

James H. Jones
President

Senate Chamber

Little Rock January 31st 1877

The Senate met pursuant to adjournment at 10 o'clock A.M. How J. K. Jones presiding.

The roll was called, and the following Senators answered to their names.

Armistead Blackwell
Bunch Campbell Chism Crowley Duffie
Ferguson Hampton Harris House Jenkins
Kerr Mulkey Norman Pennington Pindall
Reagan Sims Sullivan Tipton Tobey Williams
Wilson and Mr President = 25

Absent Senators East Haycock Hicks Johnson
Stanford and Throver = 6

A quorum present.

Prayer by Rev. W. B. Flippin

The Journal of the preceding day was read approved and signed by The President and Secretary

Senators East Johnson and Stanford answered to their names

H. B. No. 123. The President announced as the special order for this hour the consideration of House bill No. 123. Entitled, "An act to amend Section One of an act to amend Section 3101 of Gault's Digest and for other purposes, approved March 5th 1875". When the bill was taken up and read the third time.

Senator Jenkins was called to the chair.

The question being shall the bill pass? it was decided in the affirmative.

Ayes = 22 Noes = 7.

The following Senators voted in the affirmative.
Messrs. Armistead Blackwell Bunch Campbell
Chism Crowley Duffie East Hampton Harris
Johnson Jenkins Kerr Mulkey Norman Pennington
Pindall Reagan Sims Sullivan Wilson and
Mr President.

Those voting in the negative were Messrs Ferguson
House Stanford Thrower Tipton Tobey & Williams

Absent Senators Haycock and Hicks. = 2

So the bill passed.

The title of the bill was read and adopted.

Senator Bunch chairman of the committee on Rail
Roads and other internal improvements submitted
the following report.

Mr President

The committee on Rail
Roads and other internal improvements have had
under consideration House bill No. 92 in relation
to the extension of the charter of the Iron Mountain
and Helena Rail Road company, and unanimously
instruct me to report the bill back to the Senate
with the recommendation that it do pass.

"Signed"

Bunch

Chairman.

On motion the report of the committee was received

H.B. On motion of Senator Bunch the rules were
No. 92. suspended and the bill being read the third
time,

The question was, Shall the bill pass?

Which was decided in the affirmative

Ayes = 28 Noes. — none

The following Senators voted in the affirmative
Messrs Armstrong Blackwell Bunch Chism Browley
Duffie East Ferguson Hampton Harris House
Johnson Judkins Kerr Mulkey Storman Huntington
Pindall Reagan Sims Stanford Sullivan Thrower
Tipton Tobey Williams Wilson and Mr President.

Absent Senators Campbell Haycock and Hicks = 3

So the bill passed.

The title of the bill was read and adopted.

Senator Hampton Chairman of the committee on Elections submitted the following report:

Mr President

I am instructed by the committee on Elections after having had under consideration Senate bill No. 59, to be entitled an act to amend section 2359 of Grant's Digest in relation to Presidential Electors to report the bill back and recommend the following amendment— After the word Government in the fourth line of section (1) insert the words "any other cause whatever" and strike out the same words where they occur in lines 7 & 8 of same section and with the proposed amendments the committee recommend the passage of the bill

Respectfully Submitted

Hampton

Chairman.

On motion the report of the committee was received.

The President resumed the chair.

Senator Blackwell from committee on Expenditures submitted the following report.

Mr President.

Your committee to whom was referred Statement of the Auditor dated January 22nd 1877 in reference to charges made by Sheriffs for mileage in traveling to and from the Capitol have carefully considered the same and find that no uniformity exists in their computation of mileage. We therefore recommend that the Auditor be directed to establish a uniform rate of mileage according to the most direct practicable route of travel and we herewith report a joint resolution and recommend its adoption

"Signed"

Blackwell

Chairman.

Senator Findall Chairman of the Judiciary Committee submitted the following report.

Mr President

The committee on the Judiciary to whom was referred Senate Joint resolutions No. 4, 6, 7 + 9, and Senate Concurrent resolution No. 8, proposing amendments to the Constitution have had the same under consideration.

I am directed by the committee to return them with the recommendation that they be referred to the joint committee for that purpose.

Respectfully Submitted

X J Findall

Chairman

On motion the report of the committee was received and the resolutions referred to the joint committee on proposed amendments to the Constitution.

On motion of Senator Blackwell Senator Johnson was excused for the day.

On motion of Senator Norman Senator Hampton was granted leave of absence for the day on account of illness.

Senator Crowley from the Finance Committee submitted the following report.

Mr President

The committee on Finance to whom was referred Senate bill No. 16, an act entitled an act to remit the taxes of Green County for the year 1875 have had the same under consideration.

I am directed to return the bill with the recommendation that it pass.

Respectfully Submitted

Crowley,

for committee

Senator Jenkins introduced Senate bill No. 74. S.B. Entitled. "an act to make silver coin a legal tender" No. 74.

The bill was read the first time and placed on the calendar.

S.B. Senator Blackwell introduced Senate bill No. 75-
No. 75. Entitled "An act to make valid jurors and
witnesses certificates" The bill was read the
first time and placed on the calendar.

S.B. Senator East introduced Senate bill No. 76
No. 76. Entitled "An act to make provision for paying
the expenses of the General Assembly for the year
1877." The bill was read the first time

Senator East moved to suspend the rules
and have the bill read the second time.
The motion was put and lost.

S.B. Senator Tobey introduced Senate bill No. 77
No. 77. Entitled "An act to require the State to pay
the expenses incurred in holding inquest on
the dead bodies of convicts"

The bill was read the first time and
placed on the calendar.

S J R Senate joint resolution No. 11. "A resolution
No. 11 directing the Auditor to prepare a uniform
system of mileage to govern Sheriffs and
others claiming mileage &c was read the
first time and placed on the calendar.

S J R Senate joint resolution No. 10. "proposed amendment
No. 10. to the constitution" was taken up and read
the second time and on motion of Senator
Williams referred to the joint Committee on
Constitutional amendments"

S B Senate bill No. 68. Entitled "An act to amend
No. 68. section 841 of Gault's Digest and to legalize
acknowledgements heretofore taken before County
and Probate judges" was taken up and read
the second time and on motion of Senator
Williams was referred to the Judiciary com-
mittee.

S.B. Senate bill No. 69. Entitled "An act to define
No. 69. and punish vagrancy" was taken up and
read the second time and on motion of

Senator Norman referred to the Judiciary Committee
 Senator Campbell chairman of joint committee on
 enrolled bills submitted the following report.

Mr President

The joint committee on enrolled bills
 have examined House bill no. 123. and find the
 same correctly entitled, said bill has been
 signed by the Speaker of the House and President
 of the Senate and delivered to his Excellency the
 Governor for his consideration, this 31st day of January
 1877

John Campbell
 Chairman.

S.B. Senate bill no. 73. Entitled "an act to amend
 No. 73. Section 1046 of Gault's Digest" was taken up and
 read the second time and on motion of Senator
 Bunick referred to the Finance Committee.

A message was here received from the House
 of Representatives by assistant clerk Holland as
 follows

Hall House of Representatives
 January 30th 1877

Mr President,

I am instructed by the House of
 Representatives to inform your honorable body
 of the passage of House bill No. 4, Entitled an
 act to require County Treasurers of the State
 of Arkansas to give sufficient bonds and for
 other purposes."

And also of the concurrence by
 the House in Senate Concurrent resolution No. 12.
 "Asking the appointment of a joint committee
 to inquire what legislation is necessary to complete
 the Asylum for the Insane" and the committee
 on the part of the House consists of Messrs.
 Stinson Stanley McHenry Mainard and
 Barnett. all of which is respectfully transmitted

Thos W Stinson
 Clerk,

S.B. Senate bill no. 71. Entitled "an act to amend an
 No 71 act. entitled an act. to encourage mining and
 manufacturing in the State of Arkansas. approved

February 16th 1875" was taken up and read the second time, and on motion of Senator Williams referred to the committee on Rail Roads and other Internal Improvements.

S B Senate bill No. 70. Entitled "An act amendatory
No 70 of existing laws in regard to the publication of legal notices" was taken up and read the second time and on motion of Senator House referred to the Judiciary committee.

S B Senate bill no. 72 Entitled. "An act to
No 72 prevent unjust discrimination and excessive charges by the different Rail Roads of this State in transporting freight" was taken up and read the second time and on motion of Senator House two hundred and fifty copies were ordered printed and the bill referred to the committee on Rail Roads and other internal improvements.

H C R House Concurrent Resolution No. 3. "In com-
No 3 mendation of Ex Governor A H Garland". was taken up and read the first time.

Senator Findall moved to amend the resolution by striking out the words "when bitterness and prejudice were rankling in the hearts of our people"

The motion was put and adopted

On motion of Senator Jenkins the resolution was laid on the table subject to call.

H J M House Joint Memorial No. 2. "A memorial of
No. 2. the General Assembly to the Congress of the United States was taken up and read the ~~second~~ time and on motion of Senator Bunch referred to the committee on State lands.

H C R House Concurrent Resolution No. 2. requiring
No. 2. the clerk of the House of Representatives and the Secretary of the Senate to report to their respective bodies whether all Stationary, Printing, Paper, Committee Rooms and fuel for the use of this

General Assembly and the department reports recently published have been and are being furnished in accordance with section 15 of Article 19 of the constitution of the state of Arkansas." was taken up and read the first time and on motion of Senator Pundell referred to the committee on Expenditures

Y B No 2 House bill No. 2, Entitled "an act to repeal an act to protect and encourage sheep raising in this state" was taken up and read the second time and on motion of Senator Judkins referred to the committee on Agriculture.

Y B No 19 House bill No. 19, Entitled "an act to change the time of holding the Probate Court of Little River County" was taken up and read the second time.

On motion of Senator Kerr the rules were suspended and the bill being read the third time the question was

Shall the bill pass?

Which was decided in the affirmative

Ayes = 26 Noes = 1

The following named Senators voted in the affirmative

Mejors Armstrong Blackwell Bunch Campbell Chism Crowley Duffie East Ferguson Harris House Judkins Kerr Mulkey Storman Pennington Pundell Reagan Sims Stanford Sullivan Thrower Tipton Tobey Williams and Wilson

In the negative Mr President,

Absent Senators Hampton Haycock Hicks and Johnson = 4

So the bill passed

The title of the bill was read and adopted

Y B No 16 House bill No. 16, Entitled "an act for the creditors of ^{the estate of} deceased persons to sell real estate

to pay debts of said persons in certain cases" was taken up and being read the third time the question was.

Shall the bill pass, which was decided in the affirmative

Ayes = 23 \ Noes = 3

The Senators voting in the affirmative were

Messrs Armistead Blackwell Bunch Campbell Chism Crowley Duffie East House Jackins Kerr Mulkey Norman Pennington Purdall Reagan Sims Stanford Sullivan Tobey Williams Wilson and Mr President.

Voting in the negative were Senators Ferguson Harris and Throver.

Absent. Senators Hampton Haycock Hicks Johnson and Lipton = 5

So the bill passed.

The title of the bill was read and adopted.

The President submitted the following communication for the consideration of the Senate.

Treasurer's Office

Little Rock, July 31st 1877

Hon J K Jones

President of Senate

Sir

In compliance with Senate resolution of the 30th instant I hereby submit the following report, showing the amount of loan from Latham Alexander & Co received and disbursed.

I have the honor to remain,

Most Respectfully,

Your Obedt Servt,

J J Churchill
State Treasurer

I J Churchill State Treasurer in ac with the State of Arkansas.

<u>Dr.</u>			
To amt of loan 1 st Instalment from Latham Alexander & Co	\$ 42,500	00	
.. In 3 ^d qtr 1876 (20,000 ⁰⁰ Retained for interest)			
To amt of loan being 2 nd Instalment from Latham Alexander & Co in 4 th qtr 1876	\$ 62,500	00	
To amt of loan 3 ^d Instalment from Latham Alexander & Co in 1 st qtr 1877	\$ 62,500	00	
To Balance to new acct,	\$ 2,682	26	
	\$ 170,182	26	
<u>Cr</u>			
By amt of Auditors Warrants redeemed on account of Common School Fund in 3 ^d qtr 1876	\$ 3,117	15	
By amt. of Auditors Warrants redeemed in 3 ^d qtr 1876 on acct of General Revenue	\$ 76,285	39	
By amt of Auditors Warrants redeemed in 4 th qtr of 1876	\$ 48,060	32	
By amt of Auditors Warrants redeemed in 1 st qtr 1877	42,719	40	
	\$ 170,182	26	
To Balance brot. down	\$ 2,682	26	
Treasurers Office } Jan'y 30 th 1877 }	"Signed"		

I J Churchill,
State Treasurer.

Senator Pindall moved to refer the statement to the Finance Committee, motion put and adopted.

Senator Pindall submitted the following. — Whereas J. Bossert presented a claim against the State for munitions of war furnished the State during the Brooks Baxter war, and whereas said claim was presented to and allowed by the board appointed by law to audit such claims to the amount of \$275. and that said sum nor any part thereof has been paid, now therefore be it resolved that the committee on claims be instructed to investigate said claim and report by bill or otherwise

"Signed" Pindall of Desha.

On motion of Senator Pindall the resolution was adopted.

Senator House called up contested election case of W. I. Warwick against Samuel W. Williams.

The question being shall the committee on Elections be directed to take additional testimony in the case.

Senator Crowley asked and obtained leave of absence for Senator Lipton for the day.

Senator Johnson answered to his name

Senator Reagan moved that the Senate take a recess till 2 o'clock P.M.

The Ayes and noes were called for by Senator Judkins.

The motion was put by the president and lost:

Ayes = 7 Noes = 18

The Senators voting in the affirmative were Messrs Campbell Crowley Judkins Norman Pennington Reagan and Tobey

Those voting in the negative were Messrs Armistead Blackwell Bunch Chism

Duffie East Ferguson Harris Johnson Kerr
Mulkey Pindall Sims Sullivan Thrower
Williams Wilson and Mr President.

Absent Senators Hampton Haycock Hicks House
Stanford and Lipton = 6

Senator Judkins moved that the Senate do now
adjourn. and on this motion the Ayes + noes
were ordered.

The motion was put by the President
and lost.

Ayes = 6 Noes = 20

The following Senators voted in the affirmative

Meprs Crowley Ferguson Judkins Kerr Pindall
and Mr President:

Those voting in the negative
were Meprs Armistead Blackwell Bunch
Campbell Chism Duffie East Harris House
Johnson Mulkey Norman Reagan Sims
Stanford Sullivan Thrower Tobey Williams
and Wilson

Absent Senators Hampton Haycock Hicks Punnett
and Lipton = 5

So the Senate refused to adjourn

Senator Judkins moved the previous question
which was ordered.

The motion to instruct
the committee on Elections to take additional
testimony ^{on both sides} in the contested election case of
Mr I Warwick against Samuel W Williams
was then put by the President and adopted

Ayes = 13 Noes = 12.

Senators voting in the affirmative were Meprs
Armistead Chism Crowley Duffie East
Harris House Kerr Sims Stanford
Thrower Tobey and Wilson

In the negative. Blackwell Bunch Campbell Ferguson Johnson
Judkins Mulkey Norman Pindall Reagan Sullivan
Excused from voting Senator Williams

Absent Senators Hampton Haycock Hicks
Gunnington and Lipton = 5.

The question recurring on the amendment
of Senator Kerr as amended by Senator Daffin
empowering the Committee to send for persons
and papers was put by the President and
adopted.

Senator Johnson moved that the
committee be requested to send for the papers
in the case of Dooly against Eastman, and
the disposition in the case

On motion the Senate adjourned.

Approved

attest

James H. Jones
President

Secretary

Senate Chamber

Little Rock February 1st 1877.

The Senate met pursuant to adjournment at 10 o'clock AM Hon J K Jones presiding.

The roll was called and the following Senators answered to their names.

Blackwell Bunch Chism
Crowley Ferguson Harris Johnson Jenkins Kerr
Mulkey Norman Pennington Pindall Reagan Sims
Stanford Sullivan Throver Tobey Williams and
Mr President = 23

Absent Senators Armistead
Campbell Hampton Haycock Hicks House Lipton
and Wilson = 8

A quorum present

Prayer by Rev S.H. Buchanan Chaplain.

Senator Crowley asked and obtained indefinite leave of absence for Senator Lipton

The Journal for the preceding day was read, corrected and signed by the President and Secretary.

Senators Armistead House and Wilson answered to their names.

On motion of Senator Pindall Rev Dr Trimble was invited to a seat on the floor of the Senate.

Senator Norman asked and obtained leave of absence for Senator Hampton for the day.

Senator Williams presented the petition of John Robertson praying that some measure be devised by which he may be paid certain money claimed to be due him.

The petition was read and on motion of Senator Ferguson referred to the committee on claims.

A message from the House of Representatives was here received by assistant Clerk Holland as follows

Hall House of Representatives
February 1st 1877.

Mr President

I am instructed by The House of Representatives to inform your honorable body of the passage by the House of House Joint Memorial No. 3. requesting our Senators and representatives in Congress to use their efforts and influence to have repealed the law ~~requiring~~ imposing a penalty for selling leaf Tobacco by the producer of the same" and herewith respectfully transmit the same for your favorable consideration.

Thomas W Newton
Clerk,

Senator House presented petition of Citizens of White County in reference to new Postal route in said County.

S J M
No. 1.

Senator House submitted Senate joint Memorial No. 1. asking for the establishment of a Postal Route from Beber in White County to Rose Bud in said County.

The Memorial was read the first time and placed on the Calendar

On motion of Senator Findall That portion of Gov. Miller's Inaugural Address relating to the history of Arkansas was referred to the Committee on Federal Relations.

Senator Williams from the Judiciary Committee submitted the following report.

Mr President

The Committee on the Judiciary to whom was referred Senate bill No. 22. "An act to regulate appeals in certain cases in equity" have had the same under consideration.

I am directed to return the bill with the following amendments viz: Amend by inserting in line 9 of Section One after the word "decree" the words "as to such defendant", and by inserting before the word "pay" between lines 9 and 10 of the same section the word "to". Also insert in line 11 after the word "and"

the words "and all damage which may accrue to Plaintiffs by reason of the depreciation in value of such land (not exceeding the debt interest and costs".

The passage of the bill as amended is recommended.

Respectfully Submitted
Williams of Pulaski
for committee.

The amendment was read the first time and on motion of Senator Williams the rules were suspended the amendment read the second time and adopted and ordered that the bill be engrossed.

Senator Findall chairman of judiciary committee submitted the following report

Mr President

The committee on the judiciary to whom was referred Senate bill No. 60. A bill for an act to allow a special term of the County Court for Miller County have had the same under consideration. I am instructed by the committee to return it with the recommendation that it pass.

Respectfully Submitted
X J Findall,
Chairman.

Senator Campbell answered to his name

Senator Crowley from committee on State lands submitted the following report.

Mr President

Your committee to whom was referred Senate bill No. 25. an act authorizing the sale of certain school lands have had the same under consideration and recommend the following amendments, Section (1) add after the word State lands in first section "upon the application of a majority of the adult inhabitants of any Congressional Township by petition" In fifth line strike out "Counties" and insert "Townships". And add to Section one "provided said lands shall not be sold at less than two dollars per acre when the same shall be within six miles of a Rail Road or navigable stream and when more than six miles

from a Rail Road or navigable stream at not less than one dollar and twenty five cents per acre." add after section two "and such contract shall be cancelled and the notes given by the parties purchasing shall be surrendered to the maker" In section four line five strike out "Sale" at and strike out "Sale" and insert "entry" after the last sale, and recommend that the bill as amended do pass.

Very Respectfully
Crowley of Green

The amendment was read the first time and the rules being suspended the amendments were read the second time and on motion of Senator Duffie the amendments were adopted and the bill ordered engrossed.

On motion of Senator Williams Mr Fallu was invited to a seat on the floor of the Senate

Senator Wilson from the Judiciary committee submitted the following report

Mr President

The committee on the Judiciary to whom was referred Senate bill No 34 "An act to amend Section 4287 of Gault's Digest" have had the same under consideration and I am directed to return the same with the recommendation that it pass.

Respectfully Submitted
Wilson
for Committee.

Senator Norman from the committee on the Judiciary submitted the following report

Mr President

The committee on the Judiciary to whom was referred Senate bill No. 40. An act to amend Section 30 of an act providing a general election law January 23^d 1875 have had the same under consideration. I am directed to return it with the recommendation that it do not pass.

Respectfully Submitted
Norman for Committee.

B.
v. 40 The report of the committee was received and
on motion of Senator Norman Senate bill
No. 40 was laid upon the table.

Senator Norman from the committee on State lands
submitted the following report.

Mr President...

I have the
honor to report that the committee on State lands
have had under consideration Senate bill No. 62,
an act to amend an act entitled an act to
regulate the sale of land belonging to the State
and have directed me to report the following
title to said bill, (viz, "A bill for an act to
amend Section 12, of an act entitled an act
to regulate the sale of land belonging to the
State in certain cases, approved Dec 15th 1875;"
and after the word "duties" in line 42 insert
the words "and in case the surveyor is employed
he shall receive such fees as are now prescribed
by law for similar services" and when thus amended
the committee recommend the passage of the bill
Norman
for the committee.

The amendment was read the first time and
on motion of Senator Norman the rules were
suspended the amendments read the second
time, adopted, and the bill ordered to be
engrossed for the third reading

Senator Campbell chairman of joint committee
on enrolled bills submitted the following report.

Mr President.

The joint committee on enrolled
bills have examined House substitute for House
bill No. 92, and instructed me to report
the same correctly enrolled, said bill has
been signed by the Speaker of the House and
the President of the Senate respectively and
delivered to his Excellency the Governor for
his consideration on the 31st day of January
1877

John Campbell
Chairman

Senator Judkins from the committee on State lands submitted the following report.

Mr President

The committee on State lands to whom was referred Senate bill no. 13. "an act authorizing the Commissioner of State lands to cancel deeds in certain cases and for other purposes" has had the same under consideration and have instructed me to report the same with the recommendation that it do not pass.

The committee after careful consideration concludes that the Courts of the country alone can determine after a hearing of all the evidence in such cases the proper and lawful owner of such lands and that in case of the passage of said bill it would open a way to unlimited frauds, and further, the bill contains two separate and distinct subjects to wit: providing for the cancellation of deeds in certain cases, and to require donees to file proof, in direct contravention of the 6th joint rule of the General assembly.

The committee instruct me to report the accompanying bill as a substitute for Section Two of the original bill and recommend that said substitute pass.

"Signed"

Judkins
for committee.

The substitute was read the first time and on motion of Senator Judkins the rules were suspended and the substitute was read the second time and adopted.

On motion of Senator Chism Sections one three and four of the original bill were re-committed to the committee on State lands.

On motion of Senator Judkins the substitute was ordered engrossed for the third reading.

Senator Duffie chairman of committee on state lands submitted the following report:

Mr President

Your committee on state lands to whom was referred House Joint Memorial No. 2. beg leave to report they have had the same under consideration and I am instructed to report the same back and recommend its passage.

Respectfully Submitted

W W Duffie
Chairman

Senator Duffie chairman of the committee on state lands submitted the following report.

Mr President

Your committee on state lands to whom was referred Senate bill No. 63. entitled "An act authorizing the Auditor to turn over certain records to the Commissioner of State lands beg leave to report that they had the same under consideration and I am instructed to report the same back and recommend its passage with the following amendments to wit: Strike out "comr" where it occurs in the bill. and title and insert "Commissioner" Strike out the letters "U. S." where they occur in the bill and insert "United States"

Respectfully Submitted

W W Duffie
Chairman.

The amendment was read the first time and on motion of Senator Duffie the rules were suspended and the amendment was read the second time and adopted.

On motion of Senator Duffie the bill as amended was ordered engrossed for the third reading.

Senator Duffie from the Judiciary committee submitted the following report:

Mr President

The committee on the Judiciary to whom was referred Senate bill No. 58. "An act to regulate appeals and writs of error in Criminal cases" have had the same under consideration. I am instructed by the committee to return it with the recommendation that it pass.

Respectfully Submitted
W W Duffie
for committee.

S.B. No 78 Senator Johnson introduced Senate bill No. 78 Entitled "An act to prevent the sale of alcoholic vinous or malt liquors within a distance of five miles of Walnut Hill Lafayette Co Arkansas" accompanied by notice as required by law for the introduction of local bills.

The bill was read the first time and on motion of Senator Johnson the rules were suspended and the bill was read the second time and referred to the committee on Agriculture.

S-J-R No. 12 Senator Wilson submitted Senate Joint Resolution No. 12. Proposed amendment to the Constitution of the State.

The Resolution was read the first time and on motion of Senator Kerr the rules were suspended and the resolution was read the second time.

On motion of Senator Jenkins the resolution was referred to the joint committee on Constitutional amendments.

S.B. No. 79 Senator Williams introduced Senate bill No. 79. Entitled "An act concerning the field notes of the surveys of the United States"

The bill was read the first time and placed on the calendar.

On motion of Senator Duffie Genl Garret of Lincoln County was invited to a seat on the floor of Senate.

S B Senator Kerr introduced Senate bill No. 80.
No. 80 Entitled "An act to provide for the publication of a statement of the receipts and expenditures of public money"

The bill was read the first time and placed on the calendar

3-f-R Senate Joint Resolution No. 11. "That the Auditor prepare a uniform system of mileage to govern No. 11. Sheriffs and others claiming mileage &c" was taken up and read the second time. and placed on the calendar

S B Senate bill No. 74. entitled "an act to make No. 74. silver coin a legal tender," ^{was taken up and read second time} and on motion of Senator Judkins referred to the committee on Finance

S B Senate bill No. 75. Entitled "An act to make valid No. 75. jurors and witnesses certificates" was taken up and read the second time and on motion of Senator Blackwell referred to the committee on Finance.

S B Senate bill No. 76. Entitled "an ^{act} to make No. 76 provision for paying the expenses of the General Assembly for the year 1877." was taken up and read the second time and on motion of Senator Williams referred to the committee on Finance.

S B Senate bill No. 77. Entitled "An act to require No. 77 the State to pay the expenses incurred in holding inquest on the dead bodies of convicts was taken up and read the second time and placed on the calendar.

S B Senate bill No. 16. Entitled. "an act to No. 16 remit the taxes of Green County for the year 1875" was taken up and read by title and on motion of Senator Pindall placed on the calendar.

S B Senate bill No. 59. Entitled "an act to No. 59 amend Section 2359 of Gault's Digest" was taken up and read by title and on motion of Senator Pindall ordered engrossed for the third reading.

On motion of Senator Williams Col Morley was invited to a seat on the floor of the Senate

S B. Senator Findall called up Senate bill No. 60
No. 60. Entitled "An act to allow a special term of the County Court of Miller County"

The bill being read the Third time the question was.

Shall the bill pass?

which was decided in the affirmative

Ayes = 21 Noes = 2

The following Senators voted in the affirmative

Members Armstrong Blackwell Bunch
Campbell Chism Duffie Ferguson Harris
House Johnson Kerr Mulkey Norman
Pennington Findall Reagan Sims Stanford
Tobey Williams and Wilson

Those voting in the negative were Members
Jenkins and Mr President.

Absent Senators Crowley Hampton Haycock
Hicks Sullivan Throver Lipton and
East.

So the bill passed.

The title of the bill was read and adopted

H B. House bill No. 4 Entitled "An act to
No 4 require County Treasurers of the State of
Arkansas to give sufficient bond and for
other purposes" was taken up and read
the first time and placed on the calendar

S B. Senator Kerr called up Senate bill No. 8.
No 8 Entitled "An act to amend an act to
regulate the letting of public contracts
approved November 28th 1874."

Senator Kerr moved to amend Section
three by striking out all of said

section after the word "session" in line 13 of said section of printed bill, and fourth line in page six of engrossed bill.

The amendment was read the first time and on motion the rules were suspended and the amendment was read the second time

Senator Kerr moved that the amendment be adopted

On this motion Senator Johnson called for the Ayes and noes.

The motion was put by the President and adopted

Ayes = 16 Noes = 11

The following Senators voted in the affirmative

Messrs Armistead Bunch Campbell Chism
Ferguson Harris Jenkins Kerr Mulkey
Norman Reagan Sims Sullivan Tobey
Watson and Mr President

Those voting in the negative were Messrs
Blackwell Crowley Duffie East House Johnson
Pennington Pindall Stanford and Williams

Absent Senators Hampton Haycock Hicks and
Tipton = 4

So the amendment was adopted

~~On motion of Senator Williams the bill was
read the third time~~

Senator Williams moved that the bill be read the third time and put upon its final passage.

The motion was put and adopted

Senator East moved to reconsider the vote by which the Senate ordered the third reading of the bill.

The motion was put and lost.
when the bill was read the third time and the question was

Shall the bill pass?

which was decided in the affirmative

Ayes = 24 Noes = 3

The following Senators voted in the affirmative.

Messrs Armstrong Blackwell Bunch
Campbell Chism Crowley Duffie East
Ferguson Harris House Johnson Jenkins
Kerr Mulkey Norman Pennington Reagan
Sims Stanford Sullivan Williams Wilson
and Mr President.

Those voting in the negative were Messrs Puddall Thrower and Loberg.

Absent Senators Hampton Haycock
Hicks and Lipton = 4

So the bill passed.

The title of the bill was read and adopted.

On motion of Senator Bunch the Senate adjourned.

Approved

Attest:

James H. Jones
Secretary

James H. Jones
President.

Senate Chamber

Little Rock February 2nd 1877

The Senate met pursuant to adjournment at 10 o'clock A.M. and was called to order by Hon J K Jones President.

The roll was called by the Secretary and the following Senators answered to their names,

Meigs Armstrong Blackwell Bunch Campbell Chism
Crowley Duffie Ferguson Hampton Harris House
Johnson Jenkins Kerr Mulkey Storman Huntington
Purdell Reagan Sims Stanford Sullivan Tobey
Williams Wilson and Mr President = 26

Absent Senators East Haycock Hicks Thrower and
Tipton = 5

A quorum present

Prayer by the Rev J H Buchanan Chaplain.

The Journal of the preceding day was read approved and signed by the President and Secretary

L.R Senator Harris submitted Senate Concurrent Resolution
20.14, No. 14, relative to a mail route therein named

The resolution was read the first^{time} and on
motion of Senator Harris the rules were suspended
and the resolution was read the second time
and referred to the Committee on Memorials

On motion of Senator House Hon. Ben Johnson
was invited to a seat on the floor of the
Senate

The President submitted the following
communication for the consideration of the Senate

Office Hot Springs Arkansas
January 31st 1877

To The Senate of Arkansas
Little Rock Arkansas

Gentlemen

I have a few
copy without date of concurrent resolution before
your honorable body regarding the "American
States of North America" in 1776 and relating to

"a national exhibition in 1876 to prove that man is capable of self government. etc. etc."

If the Dr Lawrence named in the valuable documents, without prefix, is intended for Dr Geo W Lawrence of Hot Springs Arkansas - W S Centennial commissioner for Arkansas at "America's Centennial" represented as one of the Commissioners who is entitled to the unqualified approval for their capacity and attention". I am then thankful for your congratulations and feel happy that you are proud of and highly commend "their refined urbanity to all" and permit me to add, especially so, as it has been unanimously admitted by visitors from abroad and our own countrymen.

With an appreciative sense and high consideration.

I am yours truly
George W Lawrence M.D.

Senator East answered to his name.

Senator Wilson chairman of the committee on Claims submitted the following report.

Mr President

The committee on Claims to whom was referred Senate bill No. 32. entitled an act for the relief of J T Griffin & Sons have had the same under consideration and have instructed me to report the same back and recommend that the same pass with the following amendment to wit: Strike out the words "One thousand two hundred and eight 75/100 dollars" of the first section and insert in lieu thereof "Eleven hundred and two dollars and thirty eight cents"

Respectfully Submitted

A W Wilson

Chairman.

The amendment was read the first time and on motion of Senator Wilson the rules were suspended the amendment read the second time.

On motion of Senator Chism

The amendment was adopted and the bill as amended was ordered engrossed for the third reading.

A message was here received from the House of Representatives by assistant Clerk Holland as follows.

Hall House of Representatives
February 2nd 1877

Mr President

I am instructed by the House of Representatives to inform your honorable body of the passage by the House of House bill No. 27 entitled an act to amend sections five and twenty seven of an act entitled an act fixing the regular times for holding the County Courts of the State and fixing the salaries of the County Judges and the per diem pay of associate justices in the several counties in this State approved February 5th 1875"

Also of the passage by the House of House bill No. 125 entitled "An act to make an appropriation to pay the mileage per diem and contingent expenses of the General Assembly"

Also of the concurrence by the House in Senate concurrent resolution No. 13. entitled "Resolution for a joint session to elect two members of the Finance Board all of which is respectfully transmitted

Thomas W. Austin
Clerk,

Senator Mulkey from the committee on engrossed bills submitted the following report

Mr President.

The committee on engrossed bills have had Senate bill No. 45, under consideration and find it correctly engrossed

"Signed"

Mulkey
for committee.

Senator Blackwell chairman of committee on Expenditures submitted the following report,

Mr President

Your committee to whom was referred House Concurrent Resolution No. 2, requiring the Clerk of the House of Representatives and the Secretary of the Senate to report to their respective bodies whether all stationary printing, paper, committee rooms, and fuel for the use of this General Assembly, and the department reports recently published, have been and are being furnished in accordance with Section fifteen of Article nineteen of the Constitution of the State of Arkansas," have considered the same and recommend the adoption thereof.

"Signed"

Blackwell

Chairman.

H.C.R.
No. 2.

The report of the committee was received and Senator Blackwell moved the adoption of the resolution.

The resolution was read by the secretary and on motion of Senator Pindall laid on the table subject to call.

Senator House chairman of the committee on Education submitted the following report.

Mr President

Your committee on Education to which was referred Senate bill No. 30, entitled "an act to extend the time for presenting district school warrants or orders to the County Treasurers for payment or endorsement have had the same under consideration and respectfully report the same back and recommend its passage.

Respectfully Submitted
J W House
Chairman.

S.B.
No. 30

On motion of Senator Pindall Senate bill No. 30. was ordered engrossed for third reading.

Senator Reagan from committee on printing submitted the following report.

Mr President

Your committee on Printing to whom was referred House joint resolution no. 57 have had the same under consideration and instruct me to report it back to the Senate with a recommendation that it do not pass

L L Reagan

Chairman, Pro Tempore

On motion of Senator Jernington the report was adopted.

Senator Bunch from the committee on Finance submitted the following report.

Mr President

The committee on Finance to whom was referred Senate bill No. 73, an act to amend Section 1046 of Gaults Digest have had the same under consideration and have instructed me to report the same back to the Senate and recommend its passage.

"Signed"

Bunch

one of committee,

13. Senator Reagan introduced Senate bill No. 81, Entitled "an act fixing the time for holding elections in this State."

The bill was read the first time and on motion of Senator Reagan the rules were suspended and the bill was read the second time and referred to the committee on Elections.

13. Senator Duffie introduced Senate bill No. 82, Entitled, "an act to make valid mortgages on crops"

The bill was read the first time and on motion of Senator Duffie the rules were suspended and the bill was read the second time and referred to the committee on Agriculture

S B Senator Harris introduced Senate bill No. 83
No. 83, entitled "An act to amend Section 4207.
Chapter 94 of Smiths Digest"

The bill was read the first time and on motion of Senator Harris the rules were suspended and the bill was read the second time and referred to the committee on Agriculture.

S B Senator Williams introduced Senate bill No. 84
No 84 Entitled "An act to authorize the Auditor of the State to draw his warrant upon the Treasurer for the amount of Cost or destroyed Arkansas State Treasurers Certificate of indebtedness". accompanied by letter of the late Atty General.

The bill was read the first time and placed on the calendar.

H B House bill No. 4 Entitled "An act to require
No 4 County Treasurers of the State of Arkansas to give sufficient bonds and for other purposes" was taken up and read the second time and on motion of Senator Harris referred to the committee on Expenditures.

S B Senate bill No. 80. entitled "an act to provide
No 80 for the publication of a statement of the receipts and expenditures of public money." was taken up and read the second time and on motion of Senator Kerr referred to the committee on Expenditures.

S B Senate bill No. 79. Entitled "An act to
No 79 be entitled an act concerning the field notes of the Survey of the United States." was taken up and read the second time and placed on the calendar.

S J M Senate Joint Memorial No. 1. "asking for
No. 1, the establishment of a Postal route from Beber in White County to Rosebud in said County" was taken up and read the second time and placed on the calendar.

S B No 16 Senate bill No. 16. Entitled "an act to remit the taxes of Green County for the year 1875" was taken up and being read the third time

The question was. Shall the bill pass? which was decided in the negative.

Ayes = 4 Noes = 20

The following Senators voted in the affirmative Messrs Crowley Duffie Punnington and Pindall

Those voting in the negative were Messrs Armistead Blackwell Bunch Campbell Chism Ferguson Harris House Johnson Jenkins Kerr Mulkey Norman Reagan Sims Stanford Sullivan Williams Wilson and Mr President:

Absent Senators East Hampton Haycock Hicks Thrower Tipton and Tobey = 7

So the bill did not pass.

S B No 77 Senate bill No. 77 entitled "an act to require the State to pay the expenses incurred in holding inquest on the dead bodies of convicts" was taken up and read the third time.

On motion of Senator Williams the rules were suspended and the bill was referred to the committee on the Judiciary.

On motion of Senator Williams Hon R A Howard was invited to a seat on the floor of the Senate.

Leave being granted. Senator Punnington from the committee on engrossed bills submitted the following report

Mr President

The committee on engrossed bills have compared Senate engrossed bill No. 46, with the original and find it correctly engrossed

"Signed"

Punnington, for committee.

On motion of Senator Williams
 S B Senate bill No. 46, Entitled "an act to
 No 46 regulate the mode of proposing and voting
 upon amendments to the Constitution of
 Arkansas" was taken up and being read
 the third time.

The question was,

Shall the bill pass?

which was decided in the affirmative

Ayes = 26 Noes = 1.

The following Senators voted in the
 affirmative

Members - Armistead Blackwell
 Bunch Campbell Chism Duffie East
 Ferguson Hampton Harris House Johnson
 Jenkins Kerr Mulkey Norman Pennington
 Pendall Reagan Sims Stanford Sullivan
 Tobey Williams Wilson and Mr President.

voting in the negative was
 Senator Crowley

Absent Senators Haycraft
 Hicks Thrower and Tipton. = 4

So the bill passed.

The title of the bill was read and adopted

On motion of Senator Williams Mr Redfield
 was invited to a seat on the floor of
 the Senate.

S B Senate bill No. 34, Entitled "An act to
 No 34 amend Section 4287 of Acts Digest" was
 taken up and being read the third
 time

The question was, Shall the bill pass
 which was decided in the affirmative

Ayes = 19 Noes = 8

The following Senators voted in the

affirmative Messrs Armistead Blackwell Bunch
Campbell Chism Crowley Duffie Ferguson
Hampton Jenkins Mulkey Norman Reagan
Stanford Throver Tobey Williams Wilson
and Mr President.

Those voting in the negative
were Messrs East House Johnson Pennington
Pindall Sims Sullivan and Kerr ...

Excused from voting Senator Harris

Absent Senators Haycock Hicks and Tipton = 3

So the bill passed.

The title of the bill was read and adopted.

H J M House Joint Memorial No. 2. "Memorial of the
General Assembly to the Congress of the United
No 2 States" was taken up and read the third
time when the question was.

Shall the memorial pass?

which was decided in the affirmative

Ayes = 25 Nays — none

The following Senators voted in the affirmative

Messrs Armistead Blackwell Bunch Campbell
Chism Crowley Duffie East Ferguson
Hampton House Jenkins Kerr Mulkey
Norman Pennington Pindall ^{Reagan} Sims Stanford
Throver Tobey Williams Wilson and
Mr President

In the negative none.

Absent Senators Harris Haycock Hicks
Johnson Sullivan and Tipton = 6

So the Joint Memorial passed.

The title of the Memorial was read
and adopted.

SJR No. 11. Senate Joint Resolution No. 11 "That the auditor prepare a uniform system of mileage to govern sheriffs and others claiming mileage &c" was taken up and being read the third time the question was,

Shall the resolution be adopted? Which was decided in the affirmative

Ayes = 25 Noes = 1

The Senators voting in the affirmative were Messrs.

Armistead Blackwell Bunch Campbell Chism Crowley Duffie Ferguson Hampton East House Johnson Kerr Mulkey Roman Pennington Pindall Reagan Sims Stanford Thrower Tobey Williams Wilson and Mr. President

In the negative Senator Judkins

Absent Senators Harris Haycock Hicks Sullivan and Tipton = 5

So the Joint Resolution was adopted.

Senator Kerr was called to the chair.

The title of the resolution was read

Senator Judkins moved to amend the title of the resolution

On motion of Senator Williams the vote by which Senate Joint Resolution No. 11. was adopted was reconsidered

On motion of Senator Williams the vote ordering the third ~~reading~~ of the resolution was reconsidered.

Senator Williams moved to amend the resolution by striking out the word "rate" wherever it occurs in the resolution and inserting the word "system"

and by inserting the word "by" before the word said in last line of the bill. The amendment was read the first time, rules suspended and read the second time and adopted.

On motion of Senator Johnson the Resolution as amended was ordered to be engrossed for the third reading.

On motion of Senator Pindall leave of absence was granted to Hon J K Jones President of the Senate from February 3^d to February the 6th.

On motion of Senator Pindall the Senate proceeded to the election of a temporary President during the absence of the President of the Senate.

Senator Pindall nominated Senator Bunch for temporary President of the Senate.

The vote being taken the Hon Bradley Bunch received twenty seven votes and the Hon L H Sims received one vote.

The Senators voting for Senator Bunch were Messrs Armistead Blackwell Campbell Chism Crowley Duffie East Ferguson Hampton Harris House Johnson Judkins Kerr Mulkey Norman Purnington Pindall Reagan Sims Stanford Sullivan Thrower Tobey Williams Wilson and Mr President.

Voting for Senator Sims, Senator Bunch.

Absent Senators Haycock Hicks and Lepton = 3

Hon Bradley Bunch having received a majority of all the votes was declared duly elected temporary President of the Senate.

On motion of Senator Judkins Senator Johnson was granted leave of absence till ~~Monday~~ Tuesday next.

4 Jm
No. 3. House Joint Memorial No. 3, requesting our Senators and Representatives in Congress to use their efforts and influence to have repealed the law imposing a penalty for selling leaf tobacco by the producer of the same.

was taken up and read the first time and placed on the calendar

5 B
No. 48. Senator Wilson called up Senate bill No. 48. Entitled "an act for paying balance due for erecting the Arkansas Industrial University building" and moved that it be read the third time and put upon its final passage.

Senator Jones moved as a substitute that the bill be referred to the Finance Committee.

The motion was put and adopted.

On motion of Senator Campbell Judge Cyfert was invited to a seat on the floor of the Senate

On motion of Senator Norman the Senate adjourned.

Approved

Attest

Jacob Tholick
Secretary

Bradley Bunch
President pro tem

Senate Chamber

Little Rock February 3^d 1877

The Senate met pursuant to adjournment at 10 o'clock A.M. Hon Bradley Bunch presiding

The roll was called by the Secretary and the following Senators answered to their names

McKee Blackwell Bunch Chism Crowley Duffie
Ferguson Hampton Harris House Johnson Jenkins
Kerr Mulkey Norman Pennington Pindall Reagan
Sims Stanford Sullivan Tobey and Wilson = 22

Absent Senators Armistead Campbell East
Haycock Hicks Thrower Lipton Williams and
Mr President = 9

A quorum present

Prayer by Rev J H Buchanan Chaplain.

The Journal of the preceding day was read approved and signed by the President and Secretary

Senators Armistead William Campbell and
Thrower answered to their names.

Senator Ferguson from committee on Agriculture
submitted the following report.

Mr President

The committee on Agriculture to which
was referred Senate bill No. 78. An act to prevent
the sale of alcoholic, vinous, malt or spirituous
liquors within a distance of five miles of Walnut
Hill Lafayette Co Arkansas ask leave to report
the same back to the Senate with the following
amendments: after the word Liquors in 4th line
1st section insert the words "or preparations thereof
known as Bitters" and in 3rd line of 3^d section
after the word "Keep" insert "or actually keeping"
also in 4th line 3^d section the words "or preparations
thereof known as Bitters" after the word "liquor";
and as thus amended the committee recommend
the passage of the bill.

"Signed"

Ferguson Chairman

The amendment was read the first time and on motion the rules were suspended and the amendment was read the second time and adopted.

On motion of Senator Johnson the bill as amended was ordered engrossed for the third reading and made special order for Wednesday next.

A message was here received from the Governor by his Secretary Paul Dumeroy as follows.

To The Senate & House of Representatives:

I deem it proper to communicate to you information received at the Executive Office, which may affect the question of the settlement of the financial affairs of the State.

On the 25th ultimo, a large meeting composed not only of holders of Southern securities but of others of the most prominent business men of the ~~country~~ community, and other distinguished gentlemen, was held in the City of New York to consider means for the relief of Southern States of the Union embarrassed in their financial condition.

The names of the signers of the call and of the participants in the meeting, are such as fully warrant me in expressing the opinion that their action calls for most respectful consideration upon the part of the people in whose interest the movement was made.

At this meeting, resolutions were unanimously adopted, the preamble to which I lay before you as a part of this communication:

Whereas. Several of the Southern States of this Union have incurred heavy public debts, which have become a burden greater than they can now bear, and

Whereas, such financial embarrassments naturally tend to repel immigration and enterprise from those States, and operate continually to retard their growth in

population and wealth; and so long as those States remain in default these accumulating volumes of unliquidated debt will prove an insuperable obstacle to all true progress and prosperity; and

Whereas, The various States of the Union are so indissolubly bound together by commercial and political relations that when one member suffers all the members suffer with it, and while the public debts of any State are in disrepute not only are the bonds of that State banished from the markets of the world, but the credit of the National Securities is likewise measurably affected; and.

Whereas, It is a matter of vital importance to the people of those States and also of the Nation, but especially of the City of New York, that the financial affairs of the whole country should be speedily restored to a healthy condition; it seems eminently fitting that the commencement of the second Century of the National existence should be signalized by this happy consummation.

I may without impropriety add, that I have reason to believe that the spirit and proceedings of this meeting appear to have met with warm and general public approbation, in that section of the country where the securities of the South are chiefly held.

Upon the same day, and in evident pursuance of the same general purpose, a meeting of holders of the bonded securities of the State of Arkansas was held, also at New York, at which the following resolutions, which I lay before you, were unanimously adopted:

Resolved, That a committee of five bond holders be appointed by the Chairman, who are hereby requested to carefully examine into the financial condition and resources of the State of Arkansas, and that said committee be authorized to make such proposals to the Governor of said State, for such fair and equitable adjustment of its debt, by compromise, if necessary; as will enable the State in future to promptly pay the interest on same, semi-annually.

Be it further Resolved. That this meeting is of the opinion, that if a fair and equitable adjustment of the debt can be agreed upon with its committee, all the bondholders of the State will accept it in settlement, as their voluntary proposition, relieving the State of Arkansas from any charge of attempting repudiation.

"A true copy."

D W McWilliams
Secretary"

"R L Cutting
Chairman"

In accordance with the tenor of the resolutions Messrs ~~Wm~~ H Hayes, Geo W Staunton, Jr. J L Macauley, Henry H Marquand and R L Cutting, Jr. were named as a committee for the purpose contemplated.

I am in receipt of communications from these gentlemen, stating that they desire to confer with the Executive, upon the present financial condition of the State, and requesting, with a view to avoid any delay in arriving at an understanding, if one be practicable, that I correspond with them freely, upon the subject, by the telegraph, and at their cost.

Under these circumstances, I would respectfully suggest for your consideration, the advisability of deferring any legislative action upon the subjects involved, for a few days, and until such correspondence can be had; This not merely on the ground of consideration due to creditors apparently disposed to generous compromise, but in the hope that some acceptable proposition may be received, which may result in such re-establishment of our credit abroad and consequent prosperity at home, as has attended similar negotiations in our sister State of Georgia, and bids fair to result as favorably for others of the States of the South.

W R. Miller.
Governor

Executive Office
Feb'y 2nd 1877,

Senator Williams from the Judiciary committee submitted the following report,

Mr President

The committee on the Judiciary to whom was referred Senate bill No. 35, "an act authorizing the Treasurer to issue certificates of indebtedness in certain cases and for other purposes" have had the same under consideration. The committee have seen proper to add the following amendment viz; insert after the words ~~indebtedness~~ "certificate of indebtedness" in line of Section 1. the words "against the Swamp Land fund of the State of Arkansas" The passage of the bill as amended is recommended.

Respectfully Submitted
Williams of Pulaski
for Committee.

The amendment was read the first time and on motion of Senator Pindall the rules were suspended and the amendment was read the second time and adopted.

On motion of Senator Johnson the bill as amended was ordered engrossed for the third reading.

Senator East answered to his name.

Senator Johnson from the Judiciary committee submitted the following report.

Mr President

The committee on the Judiciary to whom was referred Senate bill No. 70. "An act amendatory of existing laws in regard to the publication of legal notices" have had the same under consideration.

The committee recommend to amend by striking out the words "regulating the publication of advertisements in newspapers" at the end of Section One. The bill as amended is recommended on its passage.

Respectfully Submitted
J H Johnson
for Committee

The amendment was read the first time and on motion the rules were suspended the amendment read the second time and adopted.

On motion of Senator Johnson Leol H. P. Parks was invited to a seat on the floor of the Senate

On motion of Senator East R H Waddell was invited to a seat on the floor of the Senate.

Senator Norman from the Judiciary committee submitted the following report

Mr President

The committee on the Judiciary to whom was referred Senate bill No. 49. "An act to repeal Section 3720. of Gaults Digest" have had the same under consideration. I am directed to return it with the recommendation that it do not pass.

Respectfully Submitted
Norman for Committee,

On motion of Senator Norman the report of the committee was adopted.

Senator Wilson from the committee on the Judiciary submitted the following report,

Mr President

The committee of the Senate on the Judiciary to whom was referred Senate bill No. 47. "A bill to be entitled an act to amend Section 1824. of Gaults Digest." have had the same under consideration and I am directed to return the bill with the recommendation that it do not pass.

Respectfully Submitted
Wilson
for committee,

On motion of Senator Wilson the report was adopted.

Senator Pennington chairman committee on Enrolled bills submitted the following report

Mr President

Your committee on enrolled bills to which was referred Senate bill No. 15, an act to be entitled an act to require donees of public lands to file within a certain time with the Commissioner of State lands proof of settlement and cultivation.

Also Senate bill No. 17, an act to amend Section 1699 of Haults Digest

Also Senate bill No. 22, entitled an act to regulate appeals in certain cases in equity

Also Senate bill No. 62, an act to amend Section, 12, of an act entitled an act to regulate the sale of land belonging to the State have examined and compared the same and find them correctly enrolled and herewith return the same.

Respectfully Submitted

A A Pennington
Chairman.

Senator Campbell chairman of committee on Enrolled bills submitted the following report.

Mr President

The joint committee on enrolled bills have examined House bill No. 19, and directed me to report the same correctly enrolled. Said bill has been signed by the Speaker of the House and the President of the Senate respectively and delivered to his Excellency the Governor for his consideration on the 2nd day of February 1877

John Campbell
Chairman

Senator Ferguson chairman of the committee on Agriculture submitted the following report

Mr President

I have the honor to report that

the committee on Agriculture have had under consideration House bill No. 2, "An act entitled an act to repeal an act to protect and encourage sheep raising in this State" and a majority of said committee have directed me to report the same back to the Senate with a recommendation that it pass.

"Signed"

Ferguson
Chairman

Senator Throver chairman of the committee on Finance submitted the following report.

Mr President

Your committee on Finance to whom was referred Senate bill No. 3, a bill for an act to be entitled an act to encourage sheep raising in the State have had the same under consideration and herewith return it recommending that it be referred to the committee on Agriculture.

"Signed"

W Throver
Chairman.

On motion the report of the committee was adopted.

Senator House from the committee on the Judiciary submitted the following report

Mr President

The committee on the Judiciary to which was referred Senate bill No. 61, "An act to be entitled an act in relation to evidence in criminal prosecutions and in all proceedings in the nature of criminal proceedings" have had the same under consideration and herewith respectfully return the same and recommend that it do not pass.

Respectfully Submitted
J W House
for committee

A message was here received from the House of Representatives by assistant clerk Holland as follows

Hall House of Representatives
February 3^d 1877.

Mr President

I am instructed by the House of Representatives to inform your honorable body of the passage by the House of House bill No. 2 entitled "an act to change the time of holding the Probate Courts of Delany and Poinsett Counties"

Also of the passage by the House of House Concurrent Resolution No. 4, proposing a Joint Committee on Education"

Also of the passage by the House, of House bill No. 100. Entitled "A bill to be entitled an act to amend section. 2. of an act entitled an act to amend sections 601 and 602, of Gauley's Digest and to limit the power of County Courts and agents to make contracts and to regulate appropriations"

Also of the passage by the House of Senate bill No. 60. entitled "a bill to be entitled an act to authorize the County Court of the County of Miller to hold a special term" and herewith respectfully transmit the same for your favorable consideration

Thomas W. Newton
Clerk,

Senator Ruffin from the Judiciary committee submitted the following minority report.

Mr President,

The undersigned a minority of the committee on the Judiciary to whom was referred Senate bill No. 61. "A bill entitled "an act in relation to evidence in criminal prosecutions and in all proceedings in the nature of criminal proceedings" beg leave to report that they were unable to agree with the majority, and respectfully

recommend the passage of the bill

Respectfully Submitted
 "Signed" M M Duffie
 to Thrower,
 Sam W Williams

On motion of Senator Williams the majority and minority reports were referred to a committee of the whole and made the special order for Thursday next at 11 O'clock A.M.

Senator Punnington Chairman of the committee on engrossed bills submitted the following report

Mr President

The committee on Engrossed bills have compared the engrossed copy of Senate bill No. 59. with the original bill and amendments and find said bill correctly engrossed except in the amendment to said bill recommended by the committee on elections the word "or" is interpolated in the engrossment between the words "Government" and "any" in the 5th line of Section one of the engrossed bill.

This word carries out more perfectly the sense of the amendment recommended by the committee on elections.

Your committee therefore recommend its approval

"Signed"

A A Punnington
 Chairman

On motion of Senator Punnington The report of the committee was adopted.

Senator Pindall Chairman of the committee on the Judiciary submitted the following report.

Mr President

The committee on the Judiciary to whom was referred Senate bill No. 52, "An act to continue the Pulaski Chancery Court" have had the same under consideration. I am directed by the committee to return the bill with the recommendation that it pass.

Respectfully Submitted
Pindall

Chairman.

On motion of Senator Pindall Senate bill No. 52. was ordered engrossed for the third reading.

Senator Crowley from the Judiciary committee submitted the following report.

Mr President

The committee

on the Judiciary to whom was referred House bill No. 11. "An act to repeal an act entitled an act to provide for the locating and changing of County Seats, approved March 2nd 1875" have had the same under consideration.

I am instructed to return it with the recommendation that it pass.

Respectfully Submitted
Crowley
of Iowa.

S.B. Senator Blackwell introduced Senate bill No. 85. Entitled "An act to regulate the return of abstracts of Elections for Governor and other State Officers and amend existing laws in reference thereto"

The bill was read the first time and placed on the calendar.

S.B. Senator Williams introduced Senate bill No. 86. Entitled "An act to be entitled an act to change venue in certain cases"

The bill was read the first time and placed on the calendar.

S. B.
No 87

Senator Duffie introduced Senate bill No. 87.
Entitled "An act to amend Section 4718
of Gault's Digest"

The bill was read the first time and
placed on the calendar.

Senator Hampton moved that two hundred
and fifty copies of Governor Miller's message
delivered this day to the Senate be printed
for the use of the Senate.

The motion was put and adopted.

H. J. M.
No. 3.

House Joint Memorial No. 3. "requesting our Senators
and Representatives in Congress to use their efforts
and influence to have repealed the law imposing
a penalty for selling leaf tobacco by the producer of
the same". was taken up and read the second
time

Senator Williams moved to refer the me-
morial to the committee on Agriculture.

The motion was put and lost.

On motion of Senator East the rules were
suspended and the Memorial being read the
third time the question was Shall the memorial
pass?

Which was decided in the affirmative

Ayes = 25 Noes - none.

The senators voting in the affirmative were
Meyers Armistead Blackwell Bunch Campbell
Chism Crowley Duffie East Ferguson Hampton
Harris Johnson Judkins Kerr Mulkey Norman
Pennington Pindall Reagan Sims Stanford
Sullivan Tobey Williams and Wilson.

In the negative none.

Absent Senators Haycock Hicks House Yipton
Thrower and Mr President = 6

So the Memorial passed
The title of the memorial was read and adopted

S.B. Senate bill No. 84. Entitled "an act to authorize No. 84 the Auditor of the State to draw his warrant upon the Treasurer for the amount of lost or destroyed "Arkansas State Treasurer's certificate of indebtedness" was taken up and read the second time and on motion of Senator Williams referred to the Committee on Auditors and Treasurers accounts.

On motion of Senator Williams Senator Sullivan was added to the Committee on Auditors and Treasurers accounts

S.J.M. Senate Joint Memorial No. 1. "Asking for the establish No. 1. ment of a Postal Route from Bebee in White County to Rosebud in said County" was taken up and being read the third time the question was,

Shall the joint memorial pass?

Which was decided in the affirmative.

Ayes = 23 Noes = 1

The following Senators voted in the affirmative
Meyers Blackwell Bunch Campbell Chisom Crowley
Duffie East Ferguson, ^{Hampton} Harris House Jenkins
Kerr Mulkey Norman Gunnington Pindall Reagan
Sims Stanford Sullivan Tobey and Wilson

In the negative was Senator Williams

Absent Senators Armistead ~~Hampton~~ Haycock Hicks
Johnson Lipton Thrower and Mr President. = 7.

So the joint memorial passed.

The title was read and adopted,

S.B. Senate bill No. 45 Entitled "an act to fix the No. 45 salaries of Governor Supreme Judges and other officers named herein" was taken up and read the third time

Senator Tobey moved to reconsider the vote ordering the third reading of the bill

The motion was put by the President and lost

The question then was, Shall the bill pass?
which was decided in the negative

Ayes = 12 Noes = 14

The following Senators voted in the affirmative

Mesrs. Blackwell Bunch Campbell Duffie
Ferguson Hampton Harris Norman Pennington
Reagan Tobey and Williams.

Those voting in the negative were Mesrs
Armistead Chism Crowley East House
Johnson Jenkins Kerr Mulkey Pindall Sims
Stanford Sullivan and Wilson

Absent Senators Haycock Hicks Thrower. Lipton
and Mr President = 5

So the Senate refused to pass the bill.

Senator Pennington Chairman of the committee
on engrossed bills submitted the following
report.

Mr President

Your committee on engrossed
bills to which was referred Senate Memorial
No. 2, "asking appropriation to improve Foucher
La Fave have" have compared and examined
the same and find it correctly engrossed

Respectfully Submitted

A A Pennington

Chairman

And also the following.

Mr President

Your committee
on engrossed bills to which was referred
Senate bill no. 31, entitled "an act to amend
Sections 5052 and 5th subdivision of 5054
Chapter 116 of Gaule's Digest" have compared and
examined the same and find it correctly
engrossed and herewith respectfully return
the same

Respectfully Submitted

A A Pennington

Chairman

Senator Pennington moved that the Senate do now adjourn.

The motion was put and adopted and the Senate adjourned.

Approved

Attest

James F. Tolson
Secretary

Bradley B. Smith

President pro tempore

Senate Chamber Little Rock
Monday February 5th 1877

Senate met pursuant to adjournment at 10 o'clock
A.M. Hon Bradley Bunch presiding.

The roll was called by the Secretary and the
following Senators answered to their names.

Miss Blackwell Bunch Campbell Chism Crowley
East Ferguson Hampton Harris Haycock House
Jenkins Kerr Mackey Norman Pennington
Pindall Reagan Sims Stanford Tobey Williams
and Wilson = 23.

Absent Senators Armistead Duffie Hicks
Johnson Sullivan Throver Tipton and Mr President
= 8

A quorum present.

Prayer by Rev J H. Buchanan Chaplain.

The Journal for Saturday February 3^d was
read approved and signed by The President and
Secretary.

Senator Williams asked and obtained leave
of absence for Senator Sullivan until Wednesday
next.

Senator Kerr asked and obtained leave
of absence for Senator Armistead for the day.

On motion of Senator Norman the reading of
the Governor's Message as it appeared on the Journal
was dispensed with.

Senator Campbell chairman of the Committee on
enrolled bills submitted the following report.

Mr President
The Joint Committee on Enrolled bills
has examined Senate bill No. 60, and instructed
me to report the same correctly enrolled. Said
bill has been signed by the Speaker of the
House the President of the Senate and delivered
to the Governor for his consideration on this
5th day of February 1877.

John Campbell Chairman.

Senator Pennington chairman of the committee on engrossed bills submitted the following report.

Mr President

Your committee on engrossed bills to which was referred Senate bills Nos 11-30-32-35 + 52 respectively have examined and compared the same and find them correctly engrossed and herewith respectfully return the same

Respectfully Submitted

A A Pennington

Chairman of Committee

Senator Kerr presented the petition of John Hare of Sebastian County asking to be re-imburssed for money expended in conveying a prisoner to the Capitol

The petition was read and on motion of Senator Kerr referred with accompanying letter to the committee on Claims.

Senator Harris submitted the following resolution

Resolved by the Senate of the State of Arkansas That two hundred and fifty additional copies of the Governor's financial message together with the accompanying documents be printed for the use and benefit of the Senate. "Signed"

On motion of Senator Harris the resolution was adopted Harris of Poinsett

A message was here received from the Governor by his secretary Gul Tomney, as follows.

State of Arkansas

Executive Office

Little Rock February 5th 1877.

To The President of the Senate

Mr President

I have this day approved and signed Senate bill No. 60 A bill to be entitled an act to authorize the County Court of the County of Miller to hold a special term

W R Miller, Governor.

S. B. R. Senator Tobey submitted Senate Concurrent Resolution No. 15. For joint committee of five from Senate and seven from House of Representatives to be appointed to examine and compare existing laws with the view to remodeling license laws of the State = with power to substitute a general law and report by bill or otherwise.

The Resolution was read and on motion of Senator Tobey adopted.

On motion of Senator Chism the message of the Governor of date February 2nd 1877 was referred to the Finance Committee.

The regular order being the introduction of bills.

S. B. Senator House introduced Senate bill No. 88. No. 88 entitled "An act amendatory of an act in relation to the public printing, approved November 28th 1874."

The bill was read the first time and placed on the Calendar.

S. B. Senator Haycock introduced Senate bill No. 89. No. 89. Entitled "A bill for an act to provide for the improvement construction and repair of several Court Houses and jails in this State."

The bill was read the first time and placed on the Calendar.

S. B. Senator Rindall introduced Senate bill No. 90. No. 90. Entitled "A bill to be entitled an act to provide for a complete Digest of the Statute laws of the State"

The bill was read the first time and placed on the Calendar.

S. B. Senator Thrower introduced Senate bill No. 91. No. 91. Entitled "a bill for the relief of Ouachita County and to validate certain proceedings of the County Court and the assessment of property thereof"

The bill was read the first time and on motion of Senator Thrower the rules were suspended the bill read the second time

and with accompanying papers referred to the Judiciary committee.

The President announced Senators Tobey Norman Kerr Ferguson and Judkins as committee on the part of the Senate under resolution of Senator Tobey for joint committee to examine and compare existing license laws with the view to remodel the same.

Senator Throver Chairman of the Finance Committee submitted the following

Mr President

I am instructed by the committee on Finance to submit the following motion.

That the Auditor of State be and is hereby requested to furnish the Senate the assessed value of the property of the State, and the counties from which he has no official report, to furnish estimated value.

Also to furnish an estimate of the amount necessary to be appropriated to defray the expenses of the State Government for two years.

"Signed"

to Throver.

Chairman Finance Committee

On motion of Senator Throver the motion recommended by the committee was adopted.

S.B. Senate bill No. 85, entitled "An act to regulate No. 85 the return of abstracts of election for Governor and other State Officers and amend existing laws in reference thereto." was taken up and read the second time and on motion of Senator Blackwell referred to the committee on Elections.

S.B. Senate bill No. 86, entitled "An act to be entitled No. 86 an act to change venue in certain cases." was taken up and read the second time and on motion of Senator Williams was referred to the Judiciary committee.

S.B. Senate bill No. 87, entitled "An act to amend No. 87 section 4718, of Smith's Digest" was taken up and read the second time and on motion of Senator Duffie referred to the Judiciary committee.

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S. W. Senate memorial No. 2. "asking appropriation
No. 2, to improve Fourche La Poudre" was taken up and
read the third time when the question was
shall the memorial pass? which was decided
in the affirmative

Ayes = 20 Noes = none.

The following Senators voted in the affirmative

Mrs Blackwell Bunch Campbell Chism
Crowley Duffie Ferguson Hampton Haycock
Judkins Kerr Norman Pennington Pindall Reagan
Sims Stanford Tobey Williams and Wilson

In the negative none.

Absent Senators. Armistead East Harris Hecks
House Johnson Mulkey Sullivan Thrower
Tipton and Mr President.

So the memorial passed.

The title of the memorial was read and adopted.

H. B. House bill No. 11. Entitled "An act to repeal
No. 11. an act entitled an act to provide for the locating
and changing of ~~County and~~ County seats
approved March 2nd 1873." was taken up and
being read the third time the question was,

shall the bill pass? which was decided in
the affirmative.

Ayes = 17. Noes = 4

The following Senators voted in the affirmative
Mrs Blackwell Bunch Campbell Chism Crowley
Haycock House Judkins Kerr Norman Pindall
Reagan Sims Stanford Tobey Williams and
Wilson.

Those voting in the negative were
Mrs Duffie Ferguson Hampton and Pennington

Absent Senators Armistead East Harris Johnson Hicks
Mulkey Sullivan Thrower Tipton and Mr President = 10

So the bill passed.

The title of the bill was read and adopted.

S. B. Senate Bill No. 15. Entitled "An act to be entitled
No. 15, an act to require donees of public lands to file
within a certain time with the Commissioner of State
lands proof of settlement and cultivation" was taken
up and being read the third time the
question was

Shall the bill pass? which was
decided in the affirmative.

Ayes = 21 Noes = 1

The following Senators voted in the affirmative
Messrs. Blackwell Bunch Campbell Chism Crowley
Duffie East Ferguson Hampton Haycock House
Jenkins Kerr Norman Pindall Reagan Sims
Stanford Tobey Williams and Wilson

Voting in the negative was Senator Pennington.

Absent Senators Armistead Harris Hicks Johnson
Mulkey Sullivan Thrower Tipton and Mr President = 9

So the bill passed.

The title of the bill was read and adopted.

S. B. Senate Bill No. 17 Entitled "An act to amend
No. 17 Section 1699. of Hault's Digest" was taken up and
being read the third time the question was

Shall the bill pass? which was decided in
the affirmative

Ayes = 21 Noes = 1.

The following Senators voted in the affirmative.
Messrs. Blackwell Bunch Campbell Chism
Crowley Duffie East Ferguson Hampton

Haycock House Kerr Norman Pennington Pindall
Reagan Sims Stanford Tobey Williams and
Wilson.

In the negative Senator Jenkins
Excused from voting Senator Harris.

Absent Senators Armistead Hicks Johnson
Mulkey Sullivan Throver Lipton and
Mr President. = 8.

So the bill passed.

The title of the bill was read and adopted.

S. B. Senate Bill No. 22. Entitled "An act to
No. 22. regulate appeals in cases in equity" was taken
up and being read the third time the question
was

Shall the bill pass? which was decided
in the affirmative.

Ayes = 21. Noes = 1

The following Senators voted in the affirmative.

Meers Blackwell Bunch Campbell Browley
Duffie East Ferguson Harris Haycock House
Jenkins Kerr Norman Pennington Pindall Reagan
Sims Stanford Tobey Williams and Wilson

In the negative. Senator Chism.

Absent Senators Armistead Hampton Hicks
Johnson Mulkey Sullivan Throver Lipton
and Mr President = 9

So the bill passed.

The title of the bill was read and adopted.

S. B. Senate bill No. 31. Entitled "an act to amend
No. 31. Sections 5052 and 5th subdivision of 5054
Chapter 116 of Gault's Digest" was taken up and

read the third time.

Senator Judkins moved that the Senate reconsider the vote ordering the third reading of the bill.

The motion was put by the President and lost.

Senator Kerr moved that the bill be re-committed to the committee on Expenditures.

The motion being put by the President was lost.

The question then being shall the bill pass? it was decided in the affirmative.

Ayes = 16 Noes = 6

The following Senators voted in the affirmative Messrs Blackwell Campbell Whism Duffie Ferguson Hampton Harris Hagerock Kerr Norman Pennington Pindall Sims Stanford Tobey and Williams

Those voting in the negative were Messrs. Bunch Crowley East House Judkins & Reagan

Absent Senators Armistead Hicks Johnson Mulkey Sullivan Throver Lipton Wilson and Mr President = 9

So the bill passed.

The title of the bill was read and adopted.

Senator Pennington chairman of the committee on engrossed bills submitted the following report.

Mr President

Your committee on engrossed bills have examined Senate bill No. 38. also Senate bill No. 63. also Senate bill No. 56. also Senate bill No. 25. and find the same correctly engrossed "Signed"

A A Pennington
Chairman.

S. B. Senate bill No. 47. Entitled "an act to amend No. 47. Section 1824 of Gault's Digest." was taken up and read the third time and on motion of Senator Pennington indefinitely postponed.

S.B. Senate Bill No. 49. Entitled "an act to repeal No. 49, section 3720 of Hawth's Digest" was taken up and read the third time and on motion of Senator Norman indefinitely postponed.

On motion of Senator Hampton the Senate adjourned.

Approved.

Attest:

Jacob F. F. F.
Secretary

Bradley Bunch
President. pro. tem.

Senate Chamber Little Rock
Tuesday February 6th 1877.

The Senate met pursuant to adjournment at 10 o'clock A.M. Hon Bradley Bunch presiding.

The roll was called by the Secretary and the following Senators answered to their names.

Mrs: Blackwell Bunch Campbell Chism Crowley Duffie
East Ferguson Hampton Harris Haycock Hicks House
Jenkins Kerr Norman Pennington Pindall Reagan Sims
Stanford Tobey Williams and Wilson = 24

Absent Senators Armistead Johnson Mulkey
Sullivan Throver Lipton and Mr President = 7

A quorum present.

Prayer by Rev. S. H. Buchanan Chaplain.

The Journal for the preceding day was read approved and signed by the President and Secretary.

Senator Haycock moved That Senator Norman be added to the committee on Rail Roads and other internal improvements, The motion was put and adopted.

On motion of Senator Norman Senators Reagan Bunch and Pennington were added to the committee on Elections.

Senator Crowley submitted the following.

Mr President

I move That the committee on claims be required to investigate the claims of Alvin Cubank and Benjamin W Gramling which claim was referred to the Legislature by the State Board of Finance, and report by bill or otherwise
"Signed"

Crowley of Green.

The motion being put by the President was adopted.

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Senator Blackwell from the committee on Expenditures submitted the following report.

Mr President

The committee to which was referred Senate bill No 80. entitled "an act to provide for the publication of a Statement of the receipts and expenditures of public money have considered the same and recommend its passage

Blackwell Chairman

Senator Norman from the Judiciary committee submitted the following report

Mr President

The committee on the Judiciary to whom was referred Senate bill No. 69. an act to define and punish Vagrancy" have had the same under consideration. I am directed to return the bill with the following amendment thereto to wit. add at the end of Section 3. "and for the purpose of this act the County Court shall always be considered in session" and further amend by striking out the words "Common Schools" and insert the words "public roads"

The bill as amended is recommended on its passage

Respectfully Submitted

Norman for Committee

The amendment was read the first time and on motion of Senator Norman the rules were suspended the amendment read the second time and adopted and the bill ordered engrossed for third reading and made special order for Friday next at 11 o'clock A.M.

Senator Crowley from the Judiciary committee submitted the following report.

Mr President

The committee on the Judiciary to whom was referred Senate bill No 68. an act to amend Section 841 of Hault's Digest and to legalize acknowledgments heretofore taken before County and Probate Judges" have had

the same under consideration. I herewith return it with the recommendation that it pass.

Respectfully Submitted
Crowley of Green.

On motion of Senator Campbell Hon B. F. Dailey was invited to a seat on the floor of the Senate.

Senator Williams from the ~~Judiciary~~ committee on the Judiciary submitted the following report

Mr President

The committee on the Judiciary to whom was referred House bill No. 26 "An act entitled an act to repeal an act creating Courts of common Pleas in Faulkner and Mississippi Counties, have had the same under consideration. The committee have made the following amendments thereto to wit: Strike out the words "and Mississippi" in lines 4 & 5 section one and change the word "counties" in 5th line in the same section to "county". Also strike out the words "either of" in line three section two and change "counties" to "county" in same line and further amend by adding after the word "service" at the end of section 3. The following to wit: "and all judgments of said court shall be carried into execution as prescribed by existing laws" Also by striking out the words "Mississippi Counties" in the title of the bill and insert "County". The passage of the bill as amended is recommended and bill together with Senate Memorial No. 4, referring to the Court of Common Pleas of Mississippi County" is herewith returned.

Respectfully Submitted
Williams of Pulaski
for committee.

The amendment was read the first time and on motion of Senator Williams the rules were suspended. The amendment read the second time and adopted.

Senator Duffie submitted the following report.

Mr President

The committee on the Judiciary to whom was referred Senate bill No. 44, "an act to permit

200
Judges of Circuit Courts to adjourn the term of a Circuit Court beyond the term of another and to legalize the proceedings" have had the same under consideration and herewith return it with the following amendments thereto to wit: in lines two and three of section two strike out the words "and all proceedings heretofore had at any such adjourned term"

The passage of the bill as amended is recommended.

All of which is respectfully submitted

Duffie for Committee.

The amendment was read the first time and on motion of Senator Duffie the rules were suspended the amendment read the second time and adopted and the bill ordered engrossed for the third reading.

Senator House submitted the following report.

Mr President

The committee on the judiciary to whom was referred Senate bill No. 9, "An act to amend section 4686 of Gault's Digest" have had the same under consideration

I am directed to return the bill and recommend its passage.

All of which is respectfully submitted.

J.W. House
for Committee.

Senator Blackwell submitted the following report

Mr President

The committee to which was referred House bill No. 4, "A bill to be entitled an act to require County Treasurers of the State of Arkansas to give sufficient bonds and for other purposes have considered the same and a majority recommend that it do pass

On motion of Senator Williams House bill No. 4, was referred to the judiciary committee.

Senator Pindall submitted the following report

Mr President,

The committee on the Judiciary to whom was referred Senate bill No. 11, "an act to amend Section three of an act no. 61, of the adjourned session of 1875 entitled an act to establish a Court of common Pleas in the counties therein named" have had the same under consideration and herewith return a substitute for the bill and recommend the passage of the substitute

Respectfully Submitted

Pindall, Chairman

The substitute was read the first time and on motion of Senator Pindall the rules were suspended the substitute read the second time and adopted

Senator Ferguson submitted the following report

Mr President

Your committee on Agriculture has had under consideration Senate bill No. 14, relative to a mail route therein mentioned ~~under consideration~~ and has instructed me to report the same back to the Senate and recommend that it be passed

Yours Truly

A H Ferguson
Chairman,

Senator Hampton submitted the following report,

Mr President

The standing committee on Elections having had under consideration Senate bill No. 81, to be entitled "An act fixing the time of holding elections in this State" have instructed me to report the bill back and recommend its passage

Hampton Chairman,

Senator Wilson submitted the following report

Mr President

The committee on the Judiciary

to whom was referred Senate bill No. 66. an act to protect widows and orphans in the exemption of property from sale and execution and for other purposes" have had the same under consideration.

I am directed to return the bill and recommend that it do not pass.

Respectfully Submitted
Wilson
for Committee.

On motion of Senator Hicks Senate bill No. 66. was laid on the table subject to call.

Senator Ferguson submitted the following report

Mr President

The committee on Agriculture has had an act to protect and encourage sheep raising in this State under consideration and has instructed me to return the same back to the Senate and recommend that it be rejected.

A H Ferguson
Chairman.

Senator Judkins submitted the following report

Mr President

The committee on the Judiciary to whom was referred Senate bill No. 18. "an act to protect employees of Rail Road corporations and persons who have stock killed in the operation of Rail Roads &c" have had the same under consideration and herewith return it with the following amendments: Thereby, on line two from the bottom of Section one strike out the word "therefore" and insert in lieu thereof the words "hereafter or hereafter" also in lines 5 and 6 of Section 4 strike out the words "negligence of".

The passage of the bill as amended is recommended.

Respectfully Submitted
Judkins
for Judiciary com.

The amendment was read the first time and on motion of Senator Judkins the rules were suspended the amendment read the second time adopted and bill ordered engrossed for third reading.

On motion of Senator Throver Senator Armistead was excused for this day.

Senator Pennington submitted the following report

Mr President

Your committee on engrossed bills to which was referred Senate bill no. 58, have examined and compared the same and find it correctly engrossed and herewith respectfully return the same

Respectfully submitted

A. A. Pennington

Chairman.

Senator Williams submitted the following report

Mr President

The joint committee on re-districting the State for judicial purposes have had Senate bill No. 50 under consideration and have instructed me to report the following substitute and recommend its passage

Signed

Samuel W. Williams

Chairman Joint Committee

The substitute was read the first time

Senator Judall moved that the bill and substitute be laid on the table and that two hundred and fifty copies of the substitute be printed for the use of the Senate.

The motion was put by the President and adopted.

A message was here received from the House of Representatives by assistant Clerk Holland as follows

Hall House of Representatives

February 6th 1877

Mr President — I am instructed by the

House of Representatives to inform your honorable body of the passage by the House of House bill No. 113, entitled "A bill to be entitled an act providing the manner and before whom, minors, femme covert, persons of unsound mind and persons in confinement shall redeem lands sold to the State for non payment of taxes and for other purposes"

Also of the concurrence by the House in Senate Concurrent Resolution No. 3. entitled "Commending action of Centennial commissioners"

Also of the concurrence by the House in Senate Concurrent Resolution No. 6. entitled "Memorializing Congress to repeal tax on leaf tobacco"

Also of the Concurrence by the House in Senate Concurrent Resolution No. 7, entitled "That the House concurring the resignation of Hon W F Lake be accepted"

Also of the passage by the House of Senate bill No. 41 entitled "an act to provide for the election of a Physician to the Penitentiary" with the following amendments. Amend said Senate bill No. 41. by adding thereto two new sections as follows.

Section 2. That the Physician of the Penitentiary in addition to the duties now provided by law shall inquire into the general treatment of the prisoners and see that they are not inhumanly punished that they are properly clothed; That they are sufficiently supplied with blankets &c for bedding; that they are sufficiently fed on good healthy and sound food; that they are not overworked; that they are not worked when their state of health forbids; That the cells are properly warmed and ventilated that the convicts are in all things whether within or without the walls humanely treated, and shall report from time to time to the Board of commissioners" of the Penitentiary.

Section 3. The "Board of commissioners" shall on receiving notice from the Physician or otherwise, that the Leper is inhumanely treating the prisoners and not faithfully performing his duty as Leper, shall notify said Leper of such failure and on his failure or refusal to comply with the terms of his lease, or to treat the convicts humanely, take such steps as by law provided to recover possession of the Penitentiary from said Leper and cancel the contract therefor, and shall have power on the recovery of the same to temporarily provide for the same until the same can be again leased.

Amend the title to said Senate bill No. 41, by adding thereto the words "and to define his duties"

All of which is herewith respectfully transmitted for your favorable consideration

Thomas W Newton,
Clerk,

S.B. Senate bill No. 88, Entitled "An act amending No 88
No 88" of an act in relation to the public printing approved November 28th 1874" was taken up and read the second time and placed on the calendar.

S.B. Senate bill No. 89, entitled "A bill for an No 89
No 89" act to provide for the improvement construction and repair of several Court Houses and jails in this State" was taken up and read the second time and on motion of Senator Haycock referred to the Finance Committee.

On motion of Senator Throver How S W Mallory was invited to a seat on the floor of the Senate

S.B. Senate bill No. 90, Entitled "A bill to be No 90
No 90" entitled an act to provide for a complete Digest of the Statute law of the State." was taken up and read the second time

and on motion of Senator Ferguson referred to the Judiciary committee.

S B No 59 Senate bill No. 59, Entitled "an act to amend section 2359 of Hunt's Digest" was taken up and read by title when Senator Pindall moved that the bill be recommitted. The motion was put by the President and lost.

And the bill being read the third time the question was

Shall the bill pass? which was decided in the affirmative.

Ayes = 24 Noes = none.

The Senators voting in the affirmative were Messrs Blackwell Bunch Campbell Chism Crowley Duffie East Ferguson Hampton Harris Haycock Hicks House Judkins Norman Pennington Pindall Reagan Sims Stanford Thrower Tobey Williams and Wilson.

In the negative none.

Absent Senators Armistead Johnson Kerr Mulkey Sullivan Tipton and Mr President = 7

So the bill passed

The title of the bill was read and adopted.

S. B. No. 62 Senate bill No 62 Entitled "an act to amend section 12 of an act entitled an act to regulate the sale of land belonging to the State." was taken up and read by title and laid on the table subject to call

S. B. No. 70 Senate bill No. 70, Entitled "an act amendatory of existing laws in regard to the publication of legal notices" was taken up and read the third time.

and on motion of Senator Williams re-committed to the committee on Printing.

Senate bill No. 79. Entitled "An act to be entitled an act concerning the field notes of the surveys of the United States" was taken up and being read the third time the question was Shall the bill pass?

which was decided in the affirmative.

Ayes = 22 Noes = none

The following Senators voted in the affirmative Messrs Blackwell Burch Campbell Chism Crowley Duffie East Ferguson Hampton Harris Haycock Hicks House Jenkins Norman Pennington Findall Reagan Sims Tobey Williams and Wilson.

In the negative none.

Absent Senators Armistead Johnson Kerr Mulkey Stanford Sullivan Throver Tipton and Mr President = 9

So the bill passed.

The title of the bill was read and adopted.

On motion of Senator Williams Mr Lorrans was invited to a seat on the floor of the Senate

S. B. Senate bill No. 73 Entitled "An act to amend No. 73 Section 1046 of Hunt's Digest" was taken up and read by title and placed on the calendar subject to call.

Senate Joint Resolution No. 11. "That the Auditor prepare a uniform system of mileage to govern sheriffs and others claiming mileage &c" was taken up and being read the third time the question was,

Shall the resolution be adopted?

which was decided in the affirmative

Ayes = 23 Noes = none.

The following Senators voted in the affirmative
 Messrs Blackwell Bunch Campbell Chism
 Crowley Duffie East Ferguson Hampton Harris
 Haycock Hicks House Judkins Norman Pennington
 Pindall Reagan Sims Thrower Tobey Williams
 and Wilson

In the negative none

Absent Senators Armistead Johnson Kerr
 Mulkey Stanford Sullivan Tipton and Mr
 President = 8

So this resolution was adopted.

The title of the resolution was read and adopted

On motion of Senator Thrower Senator House
 was added to the committee on Finance.

S B Senate bill No. 30. Entitled "An act to extend
 No 30 the time for presenting District School warrants
 or orders to the County Treasurer for payment
 or endorsement" was taken up and being
 read the third time the question was
 shall the bill pass? which was decided
 in the affirmative.

Ayes = 18 Noes = 5

The following Senators voted in the
 affirmative.

Messrs Blackwell Bunch Campbell
 Crowley Ferguson Hampton Harris Haycock
 House Judkins Kerr Norman Pennington
 Pindall Reagan Sims Tobey and Wilson

Those voting in the negative were Messrs
~~Armistead Duffie Johnson Mulkey Stanford~~
~~Sullivan Tipton and Mr President = 8~~

Whom East Hicks Thrower and
 Williams.

Absent Senators Armistead Duffie Johnson
 Mulkey Stanford Sullivan Tipton and
 Mr President = 8

So the bill passed.

The title of the bill was read and adopted

Leave being granted Senator Pindall submitted the following

Mr President

I move that the committee on Printing be directed to inquire and report the probable cost of printing, stitching and binding a new digest of the laws of the State, estimate to be made for printing 4000 copies or more.

"Signed"

Pindall

of Desha

The motion was put by the President and adopted.

S.B. Senate bill No. 35, Entitled "an act authorizing No. 35. the Treasurer to issue certificates of indebtedness in certain cases and for other purposes" was taken up and being read the third time the question was

Shall the bill pass?

which was decided in the affirmative

Ays = 13 Noes = 11

The following Senators voted in the affirmative, Messrs Blackwell Bunch Campbell Crowley East Ferguson Harris Haycock Judkins Pindall Tobey Williams and Wilson

Those voting in the negative were Messrs Whism Duffie Hampton Hicks House Kerr Norman Pennington Reagan Sims and Thrower

Absent Senators Armistead Johnson Mulkey Stanford Sullivan Tipton and Mr President = 7

So the bill passed

The title of the bill was read and adopted.

On motion of Senator Campbell How W.B. Hanna was invited to a seat on the floor of the Senate

S.B. No. 52 Senate bill No. 52, Entitled "An act to continue the Pulaski Chancery Court" was taken up and being read the third time the question was Shall the bill pass? which was decided in the affirmative.

Ayes = 21 Noes = 4

The following Senators voted in the affirmative Messrs Blackwell Bunch Campbell Crowley Duffie East Ferguson Hampton Harris Haycock House Judkins Kerr Norman Pennington Pindall Sims Stanford Throver Williams and Wilson.

Those voting in the negative were Messrs Whism Hicks Reagan and Tobey.

Absent Senators Armistead Johnson Mulkey Sullivan Tipton and Mr President = 6

So the bill passed.

The title of the bill was read and adopted.

S.B. No. 32 Senate bill No. 32 Entitled "an act for the relief of J. V. Griffin & Sons" was taken up and read by title and placed on the calendar subject to call.

S.B. No. 38 Senate bill No. 38, Entitled "an act to amend Section 9 of an act entitled an act to regulate the licensing of dram shops and for other purposes approved May 30th 1874" was taken up and read by title and on motion of Senator East placed on the calendar subject to call.

S.B. No. 63 Senate bill No. 63, Entitled "An act authorizing the Auditor to turn over certain records to the Commissioner of State Lands" was taken up and read the third time and on motion of Senator Duffie referred to the committee on State Lands.

S.B. Senate bill No. 56. Entitled "An act supplementary and amendatory to an act entitled an act to regulate the letting of public contracts" was taken up and being read the third time the question was

Shall the bill pass?
which was decided in the affirmative

Ayes = 21 Noes = 1

The following Senators voted in the affirmative
Messrs Blackwell Bunch Campbell Crowley Duffie
East Ferguson Hampton Harris Hicks House
Jenkins Kerr Norman Pennington Pindall Reagan
Sims Stanford Tobey and Williams

In the negative, Senator Chism

Absent Senators Armistead Haycock Johnson
Mulkey Sullivan Thrower Lipton Wilson and
Mr President = 9

So the bill passed

The title of the bill was read and adopted.

S.B. Senate bill No. 25. Entitled "An act authorizing the sale of certain school lands" was taken up and being read the third time the question was

Shall the bill pass?
which was decided in the affirmative.

Ayes = 15 Noes = 7

The Senators voting in the affirmative were Messrs Bunch Campbell Duffie East Ferguson Hampton Harris Haycock House Jenkins Kerr Norman Pindall Reagan and Williams

Those voting in the negative were Messrs Blackwell Campbell Chism Hicks Pennington Sims and Tobey

Absent Senators Armistead Johnson Mulkey

Stanford Sullivan Thrower Lipton Wilson
and Mr President = 9

So the bill passed

The title of the bill was read and adopted

Senator ^{Pindall} moved That the Senate do now
adjourn

Senator Williams called for the
Ayes & Noes, the call was sustained and
the roll was called and the motion lost

Ayes = 11 Noes = 11

Senators voting in the affirmative were
Messrs Crowley Duffie Hampton Harris
Haycock House Judkins Norman Pennington
Pindall & Reagan.

Those voting in the negative
were Messrs Blackwell Burch Campbell
Chism East Ferguson Hicks Kerr
Sims Tobey and Williams

Absent Messrs Armistead Johnson Mulkey
Stanford Sullivan Thrower Lipton Wilson
and Mr President = 9

So the Senate refused to adjourn.

H. B. House bill No. 2. Entitled "an act to repeal
No. 2. an act to protect and encourage sheep
raising in this State" was taken up and
read by title and on motion of Senator
Judkins laid on the table subject to call

H. C. R. House Concurrent Resolution No. 4, "proposing
No. 4. a joint committee on Education" was
taken up and read the first time.

Senator Chism moved that the Senate
concur with the House of Representatives.

The motion was put by the President
and lost.

So the Senate refused to concur,

H.B. No. 22, House bill No 22 entitled "An act to change the time of holding the Probate Courts of Lley and Poinsett counties" was taken up and read the first time and placed on the calendar.

H.B. No. 27, House bill no. 27. Entitled "an act to amend sections five and twenty seven of an act entitled an act fixing the regular terms for holding the county Courts of the State and fixing the salaries of county Judges and the per diem pay of associate Justices in the several counties in this State approved Feb 5th 1875." was taken up and read the first time and placed on the calendar.

Senator Judkins moved to adjourn.

The motion was put and lost, and the Senate refused to adjourn.

H.B. No. 100, House bill No. 100. Entitled "an act to amend section two of an act entitled an act to amend sections 601 & 602 of Gauley Digest and to limit the powers of county courts and agents to make contracts and to regulate appropriations" was taken up and read the first time and on motion of Senator Kerr the rules were suspended and the bill was read the second time and on motion of Senator Williams referred to the Finance committee.

H.B. No. 125, House bill No. 125 Entitled "An act to make an appropriation to pay the mileage per diem and contingent expenses of the General Assembly" was taken up and read the first time.

Senator Judkins moved to suspend the rules and have the bill read the second time

Senator Pindall moved That The Senate do now adjourn and on this motion Senator Kerr called for the Ayes & Noes

The call was sustained, the roll was called and the motion lost. Ayes = 2 Noes = 21

The following Senators voted in the affirmative Messrs Crowley and Pindall

Those voting in the negative were Messrs Blackwell Bunch Campbell Chism Duffie East Ferguson Hampton Harris Haycock Hicks House Judkins Kerr Norman Sims Stanford Throver Tobey Williams and Wilson

Absent Senators Armistead Johnson Mulkey Pennington Reagan Sullivan Lipton and Mr President = 8

So the Senate refused to adjourn.

The question recurring on the motion of Senator Judkins to suspend the rules Senator Pindall called for the Ayes and Noes, the call was sustained when the roll was called and the motion adopted

Ayes = 17 Noes = 6

The Senators voting in the affirmative were Messrs Blackwell Bunch Campbell Chism Duffie East Ferguson Harris Haycock Hicks Judkins Sims Stanford Tobey Williams and Wilson

Those voting in the negative were Messrs Crowley House Kerr Norman Pindall and Throver.

Absent Senators Armistead Johnson Mulkey Pennington Reagan Sullivan Lipton and Mr President = 8.

So the rules were suspended.

Senator Pindall moved that the Senate do now adjourn and on this motion Senator Ferguson called for the Ayes & Noes, the call was sustained, the roll was called, and the motion lost

Ayes = 5 Noes = 18

~~So the Senate refused to adjourn.~~

The following Senators voted in the affirmative
Messrs Chism Crowley Norman Piddall and Thrower

Those voting in the negative were Messrs Blackwell
Bunch Campbell Duffie East Ferguson Hampton
Harris Haycock Hicks House Jenkins Kerr
Lins Stanford Tobey Williams and Wilson

Absent Senators Armistead Johnson Mulkey
Perrington Reagan Sullivan Lipton and Mr
President = 8

So the Senate refused to adjourn.

B, House bill No. 125 was then read the
second time.

Senator Crowley moved
that the Senate do now adjourn and
on this motion Senator Piddall called for
the Ayes and Noes, the call was sustained

The roll was called and the motion lost

Ayes = 9 Noes = 14

The following Senators voted in the affirmative
Messrs Bunch Campbell Chism Crowley East
House Norman Piddall and Tobey

Those voting in the negative were Messrs
Blackwell Duffie Ferguson Hampton Harris
Haycock Hicks Jenkins Kerr Lins Stanford
Thrower Williams and Wilson.

Absent Senators Armistead Johnson Mulkey
Perrington Reagan Sullivan Lipton and
Mr President = 8

So the Senate refused
to adjourn.

B, House bill No. 125 was referred to the Finance
Committee.

On motion of Senator East the
Senate adjourned.

Approved

Attest:

Jacob Frolich
Secretary

James H. Jones
President,

Senate Chamber Little Rock
Wednesday February 7th 1877.

The Senate met pursuant to adjournment at 10 o'clock A.M. Hon J K Jones presiding

The roll was called by the Secretary and the following Senators answered to their names

Mepps Blackwell Bunch Chism Crowley Duffie
Ferguson Hampton Harris Haycock Hicks House
Jenkins Kerr Mulkey Norman Turnington Pindall
Reagan Sims Lipton Lobey Williams Wilson
and Mr President = 24

Absent Senators Armistead ^{Campbell} East Johnson
Stanford Sullivan and Throver = 7

A quorum present

Prayer by the Rev J. H. Buchanan Chaplain.

The Journal of the preceding day was read approved and signed by the President and Secretary.

On motion of Senator Norman
Hon W L Bell was invited to a seat on
the floor of the Senate

On motion of Senator House Maj Thwett was invited
to a seat on the floor of the Senate

On motion of Senator Chism Mr Walker of
Mills County was invited to a seat on the
floor of the Senate

Senators Armistead Stanford Campbell and
Johnson answered to their names

On motion of Senator Bunch Robt A Wilson
of Washington County was invited to a seat on
the floor of the Senate.

On motion of Senator Bunch Senator Hicks
was added to the committee on Rail Roads
and other internal improvements.

S. b. R. Senator Judkins submitted Senate Concurrent resolution
No. 16. No. 16. referring to the adjustment of the indebtedness
of the State.

The resolution was read by the Secretary
when Senator Judkins moved that the resolution
be adopted.

On this motion Senator Chism called
for the Ayes and noes, the call was sustained.

Senator Williams moved to amend the resolution
by striking out the words "one half" and inserting
the word "part", the amendment was accepted.

Senator Pindall moved that two hundred and fifty
copies of the resolution be printed and that the
resolution be laid on the table subject to call,
and it was so ordered.

Senator Kerr submitted the following.

Mr President

I move

to amend rule four of the rules for the govern-
ment of the Senate by inserting after "petitions"
the words "unfinished business" and by striking
out the same words at the end of said rule,
and by inserting after introduction of bills the
words "Bills from the House of Representatives,"
and by striking out these words where they
now stand in said rule.

Senator Williams called for a division of the
question.

When the question was put on the
adoption of the motion to insert after petitions
the words "unfinished business" and by striking out
the same words at the end of said rule

The motion was lost, and the question was
then put on the adoption of the second division
of the motion and lost.

So the Senate refused
to amend the rule.

On motion of Senator Ferguson Senator Loberg
was added to the committee on Finance

Senator Armistead submitted the following
Resolved — That the Judiciary committee

be and are hereby instructed to ascertain and report whether any, and what further legislation is necessary to secure an efficient assessment and collection of taxes on Rail road property in the counties in which said roads are located

"Signed"

Armistead
of Franklin

On motion of Senator Armistead The resolution was adopted.

Senator Wilson submitted the following report

Mr President

The committee on Claims to whom was referred the petition of John Robertson have had the same under consideration and are of opinion that the petitioner is entitled to relief, and I am instructed by the committee to submit the bill herewith transmitted and recommend its passage

Respectfully Submitted

Wilson

Chairman

The bill submitted with the report of the committee was read by the Secretary. When Senator Blackwell moved to suspend the rules and have the bill read the second time

The President ruled that the reading of the bill as part of the report of the committee did not constitute the first reading of the bill.

Senator Hicks appealed from the decision of the Chair, and

the question was, Shall the decision of the Chair stand as the sense of the Senate.

Which was decided in the affirmative and the decision of the Chair was sustained

S B Senator Norman introduced Senate bill No. 93.
 No 93 entitled "A bill for an act to amend section 1066
 of Gault's Digest in relation to appeals and writs of
 error in the supreme Court of this State"

The bill was read the first time and placed
 on the calendar

S B Senator Browley introduced Senate bill No. 94.
 No 94 Entitled "An act to amend an act to provide for
 the appointment of Notaries Public in this State"

The bill was read the first time and placed on
 the calendar.

S B Senate bill No. 92. reported by the Committee on
 No 92 Claims. Entitled "An act for the relief of John
 Robertson" was taken up and read the first
 time and placed on the calendar.

S B Senator Harris introduced Senate bill No. 95.
 No 95 Entitled "An act to repeal sections 2885 and
 2886 of Gault's Digest"

The bill was read the first time and on motion
 of Senator Harris the rules were suspended and
 the bill was read the second time and referred
 to the committee on the Judiciary

S B Senator Pindall introduced Senate bill No. 96.
 No 96 Entitled "A bill for an act to be entitled an
 act to regulate the practice as to injunctions"

The bill was read the first time and on motion
 of Senator Pindall the rules were suspended and
 the bill was read the second time and
 referred to the Judiciary committee.

S B Senator Wilson introduced Senate bill No. 97.
 No 97 Entitled "A bill to be entitled an act to change
 the Revenue laws"

The bill was read the first
 time and on motion of Senator Wilson the
 rules were suspended and the bill was read
 the second time and on motion of Senator
 Haycock referred to the committee on Finance

S B
No 98 Senator Hicks introduced Senate bill No. 98 entitled "an act to amend section 4207 of Gault's Digest"

The bill was read the first time and on motion of Senator Harris the rules were suspended and the bill was read the second time and referred to the committee on Agriculture.

H B
No 22 House bill No. 22. Entitled "an act to change the time for holding the Probate Courts of Clay and Poinsett Counties" was taken up and read the second time and placed on the calendar.

H B
No 27 House bill No. 27. Entitled "an act to amend sections five and twenty seven of an act entitled an act fixing the regular terms for holding the county courts of the State and fixing the salaries of county judges and the per diem pay of associate justices in the several counties in this State, approved February 5th 1875." was taken up and read the second time and placed on the calendar.

S B
No 73 Senate bill No. 73. Entitled "an act to amend section 1046. of Gault's Digest" was taken up and read for information.

Senator Bunch moved to amend the bill by inserting after the word "scrip", "or other evidences of indebtedness."

The amendment was read the first time and on motion of Senator Bunch the rules were suspended the amendment read second time and adopted and the bill as amended ordered engrossed.

S B
No 99 Leave being granted Senator Johnson introduced Senate bill No. 99. Entitled "A bill for an act to provide for the election of a Chief of Police in cities and incorporated towns"

The bill was read the first time and placed on the calendar.

Senator Harris moved to suspend the rules and
 B Take up House bill No. 2. Entitled "An act to
 No 2 repeal an act to protect and encourage sheep
 raising in this State"

The motion was put and
 lost. So the Senate refused to suspend the rules.

B Senate bill No. 88. Entitled "An act amendatory
 No. 88 of an act in relation to the public printing
 approved November 28th 1874" was taken up and
 being read the third time the question was

Shall the bill pass?

which was decided in
 the affirmative

Ayes = 22 Noes = 6

The following Senators voted in the affirmative.
 Messrs Armistead Campbell Chism Crowley Duffie
 Hampton Harris Haycock Hicks House Johnson
 Jenkins Mulkey Pennington Pindall Sims Stanford
 Tipton Tobey Williams Wilson and Mr President

Those voting in the negative were Messrs
 Blackwell Bunch Ferguson Kerr Norman Reagan

Absent Senators East Sullivan and Throver = 3

So the bill passed.

The title of the bill was
 read and adopted

B Senate bill No. 9. Entitled "An act to amend
 No. 9 Section 4686 of Haults Digest" was taken up and
 being read the third time the question was

Shall the bill pass?

which was decided in
 the affirmative

Ayes = 23 Noes = 4

The following Senators voted in the affirmative.
 Messrs Armistead Bunch Campbell Chism
 Crowley Duffie Ferguson Hampton Harris
 Haycock Hicks House Jenkins Kerr Mulkey
 Norman Pindall Reagan Sims Stanford
 Tipton Tobey and Wilson

Those voting in the negative were Messrs Blackwell Summington Williams and Mr President

Absent Senators East Johnson Sullivan and Throver = 4

So the bill passed

The title of the bill was read and adopted

A message was here received from the House of Representatives by assistant clerk Holland as follows

Hall House of Representatives
February 7th 1877

Mr President

I am instructed by the House of Representatives to inform your honorable body of the passage by the House of House bill No. 158 Entitled "A bill to be entitled an act to amend an act entitled an act to amend Section 4410 of Grant's Digest"

Also of the concurrence by the House in Senate Concurrent resolution No. 11 Entitled "to abolish rule 10 and amend rule 12 of the joint rules"

Also of the concurrence by the House of Senate Concurrent resolution No. 15 entitled "For joint committee of five from Senate and seven from House of Representatives to be appointed to examine and compare existing laws with view to remodeling license laws of the State with power to substitute a general law and report by bill or otherwise" and of the appointment by the House of the following members as committee on the part of the House under said Senate Concurrent resolution No. 15

Messrs Warren of Union Mooney Morton Martin of Faulkner Sawyer McRea and Jones.

Also that the House has indefinitely postponed Senate joint

Resolution No. 8. entitled "joint resolution" in regard to counting the electoral vote for President of the United States" and herewith return the same

Also of the passage by the House of House bill No. 173 entitled "a bill to be entitled an act to change the time of holding the Circuit Court in Hempstead County" in the ninth judicial circuit"

All of which is herewith respectfully transmitted

Thomas W Newton
Clerk.

The President laid before the Senate the following communication from the Auditor of State

Office Auditor of State
Little Rock Ark Feb 7th 1877

Hon J R Jones
Pres Senate

Sir

In response to Senate resolution requesting the Auditor to furnish a statement of the assessed value of the property in the State, also to furnish an estimate of the amounts required to be appropriated to defray the expenses of the State Government for two years. I have the honor to report as follows.

The total valuation of all property-real and personal-subject to taxation in Sixty Seven Counties that have been reported to the Auditor is \$88,432,843.41. No returns having been received from the following named Counties. I have estimated the valuation the same as for 1875-

Worsey County	\$780,560.00
Grant "	547,260.00
Howard "	811,818.00
Lawrence "	921,762.00

Little River County	\$ 638.043.00
Stone	" 276.971.00
Washington	" <u>1,464,310.00</u>
	<u>5,440,724.00</u>

This amount added to the \$88,432,843.41 will give a total valuation of \$93,873,567.41

This I am satisfied, will not be far from the true amount, whenever that is ascertained.

I am now engaged in making an estimate of the amounts to be appropriated and will transmit the same as soon as it is complete

Very Respectfully

Your obt. Servt.

John Crawford
Auditor of State.

On motion of Senator Pindall the statement of the Auditor was referred to the committee on Finance.

Senator Norman submitted the following

Whereas, the deficiencies in Jefferson County in regard to a settlement with J. J. Vaughan late Sheriff and collector of said county in the whisky licenses are complicated and difficult to ascertain, owing to the fact that the county records have been cut out and otherwise mutilated. And whereas upon investigation by N. Y. White and B. F. Hall attys. at law they find that said collector is in default to the State of Arkansas in a large amount and whereas, it is believed by them that the affairs of the county are in a much worse condition than those of the State, as shown by reports, letters and certificates from the Clerk of the Court to the Auditor of State, therefore that the truth of the same be inquired into and justice done in the premises. —

Resolved. — That the President of the Senate is hereby authorized and directed to appoint a committee of three Senators

whose duty it shall be to proceed to Pine Bluff in said Jefferson County at an early day and investigate the accounts of said Vaughan late collector with the County and State — and the Auditor is hereby directed to furnish said Committee with copies of any and all certificates letters and exhibits in his office which will aid said Committee in said investigation —

Resolved further that said committee report the result of said investigation to the Senate for its action.

"Signed"

Norman, of Ashley,

Senator Norman moved that the resolutions be adopted.

The President of the Senate announced that the hour had arrived for the Senate to meet the House of Representatives in joint session for the purpose of electing two members of the State Board of Finance

Whereupon the Senate preceded by its Officers proceeded in a body to the Hall of the House of Representatives

When the President of the Senate called the House to order and announced the object of the joint session to be the election of two members of the State Board of Finance

The Secretary of the Senate called the roll of the Senate when the following Senators answered to their names

Mejors Armistead
Blackwell Bunch Campbell Chism Browley
Duffie Ferguson Hampton Harris Hicks House
Jenkins Kerr Mulkey Norman Pennington
Pindall Reagan Sims Tipton Tobey Williams
Wilson and Mr President = 25

Absent Senators East Haycock Johnson
Stanford Sullivan and Throver = 6

A quorum present.

The clerk called the roll of the House and the following members answered to their names.

Members Allen Andrews Avera
Barnett Berry Best Blankenship Braley
Brown Chaney Cobb Coleman of Clark
Coleman of Phillips Cubage Cunningham
Davis of Pope Davis of Searcy Davidson Donohoe
Dunagan Eagle Farr Fishback Fisher Floyd
Gardner Gibson Gray Harrison of Saline Harrison
of Yell Headlee Heame Hervey Hill Jacks
Jennings Jones Lee Mainard Martin of Faulkner
McHenry McKinnon McKee Milor Mooney
Morgan Morton Murphy Peery Price Priddy
Ratchiff Rector Reid Robeson Sam's Smith
Stanley Stinson Stubbs Tate Thomas Thomason
Walker Warren of Crawford Warren of Union
Watson Weaver Wells Whitson Wilson
Williams of Hot Springs Williams of Missis-
sippi Williamson and Mr Speaker

Absent Members Brock Cotham Duncan
Durham Ebberson Foster Hunter Lawhon Martin
of Dallas Mathews Pearce Peoples Poyner Rice
Sawyer + Wofford = 16

The President announced that nominations were in order for member of the State Board of Finance.

Mr Stubbs placed in nomination the name of Judge W. M. Rose.

There being no other nominations the roll was called with the following result.

Senators voting for W M Rose were
members Armistead Blackwell Bunch
Campbell Chism Crowley Duffie Ferguson
Hampton Harris Hicks House Johnson
Jenkins Kerr Malkey Norman Pennington
Pindall Reagan Sims Lipton Tobey Williams
Wilson and Mr President = 26

Absent Senators East Haycock Stanford Sullivan
and Throver = 5

The roll of the House was called
Representatives voting for W M Rose were Messrs
Allen Andrews Averá Barnett Berry Bist Blount
Braley Brown Chaney Cobb Coleman of Clark Cubage
Cunningham Davis of Pope Davis of Searay Davidson
Donahoe Dunagan Durham Eagle Farr Fishback Fisher
Floyd Foster Gardner Gibson Gray Harrison of Saline
Harrison of Yell Headlee Hearne Hervey Hill Jennings
Jones Lee Mainard Martin of Faulkner McHenry
McKennon McKee Milor Mooney Morgan Morton
Murphy Peavy Price Priddy Ratcliff Rector Reid
Robison Sams Sawyer Smith Stanley Stinson Stubbs
Tate Thomas Thomason Walker Warren of Union
Watson Weaver Wells Whitson Wilson Williams
of Hot Spring Williams of Mississippi Williamson
and Mr Speaker = 75

Excused from voting Jacks Coleman of P + Warren of L
Absent Messrs Brock ~~Coleman~~ of Phillips Cothran
Duncan Ebberson Hunter Lawhon Martin of
Dallas Mathews Pearce Peoples Joyner Rice Wofford
~~and Warren of Crawford.~~

Judge W M Rose having received one
hundred and one votes was declared duly
elected a member of the State Board of
Finance

President announced nominations in
order for member of State Board of Finance

When Senator Tobey nominated	B F Dauley
Mr Wilson nominated	C D Walker
Senator Wilson	" I R Welch
Mr Gibson	" Ed W Parker
Mr Coleman of Clark	" J C Peay
Mr Price	" John D Thomas
Mr Milor	" Jesse Turner
Mr Stinson	" John D Adams
Mr Hill	" S P. Hughes.

The roll being called the following Senators
voted for B F Dauley Messrs Blackwell
Chism Harris House Reagan + Tobey = 6

voting for C D Walker none

Senators voting for I R Welch were Messrs
Bunch Campbell Duffie Hampton Hicks
Norman Pennington Sims Lepton Williams
and Wilson = 11

For Ed W Parker Senator Johnson = 1

For J. C. Peay Senators Crowley & Jenkins = 2

For Jesse Turner Armistead Kerr Mulkey
and Mr President = 4

For S P Hughes Senator Ferguson = 1

Absent Senators East Haycock Stanford Sullivan
and Throver = 5

Representatives voting for B F Danley were Messrs
Brady Cobb Davis of Pope Davis of Seaway
Duragan Eagle Fisher Hearn Jones
Mainard Martin of Faulkner McKinnon Rector
Smith Tate Thomason Wells Williams
of Mississippi = 18

For E D Walker Messrs Andrews Farr
Hervey Morton Ratcliff Sawyer Wilson = 7

For I R Welch Messrs Allen Barnett
Blankenship Foster Gardner Gray McKai
Morgan Priddy Ried Stanley Stubbs
Warren of Union Watson Weaver Williamson
Headlee = 17

For Ed W Parker Messrs Durham Gibson
Harrison of Calum = 3

For J C Peay Messrs Coleman of Clark
Mooney = 2

For J D Thomas Messrs Best Brown Lee
Price Thomas = 5

For Jesse Turner Messrs Berry Cunningham
Harrison of Yell Minor Sams Walter
Warren of Crawford = 7

For John D Adams Mems Cubage Davidson
Murphy Robeson Olsson Williams of Hot Springs and
Mr Speaker = 7

For J P Hughes Mems Avera Chaney Coleman
of Phillips Donohoe Floyd Hill Jennings McHenry
Ferry & Whitson = 10

No one having received a majority of all the
votes there was no election and the Joint
Assembly proceeded to the second ballot

When the following Senators voted for B F
Dawley .. Amsted Blackwell Chism
Crowley Harris Hicks House Johnson
Judkins Kerr Mulkey Reagan and Tobey = 13

For C D Walker Senator Findall = 1

For J R Welch Mems Bunch Campbell
Duffin Hampton Norman Pennington Sims
Lipton Williams and Wilson = 10

For Jesse Turner — Mr President = 1

For J D Adams — Haycock = 1

For J P Hughes Mems East and Ferguson = 2

Absent Stanford Sullivan and Throver 3

Representatives voting for B F Dawley were
Mems Berry Best Braley Brown Cobb Coleman
of Clark Davis of Pope Davis of Deacy Duvagan
Eagle Fisher Harrison of Lubin Heame Hervey
Jennings Jones Lee Mainard Master of
Laukner McHenry McKinnon Milor Mooney
Price Rector Sams Smith Late Thomason
Wells Williams of Mississippi = 30

For C D Walker Mems Farr Morton Rutchiff
Lawyer and Wilson = 5

For J R Welch Mems Allen Barnett
Blankenship Durham Foster Gardner

Gibson Gray Headley McKae Morgan Perry
 Priddy Reid Stanley Stebbins Warren of Union
 Watson Weaver Williamson and Mr Speaker = 21

For Jesse Turner Messrs Walker and Warren of
 Bradford = 2

For John D Adams Messrs Cubage Dardson
 Murphy Robson Stinson Williams of Hot Springs 6

For S P Hughes Messrs Andrews Avera Chaney
 Coleman of Phillips Cunningham Donohoe
 Lloyd Harrison of Yell Hill McHenry Thomas
 and Whitson = 12

X There being no election the joint session
 proceeded to the third ballot when

The following Senators voted for B
 F Danley

Messrs Blackwell Chism
 Crowley East Harris Hicks House
 Johnson Judkins Kerr Mulkey Puddell
 Reagan and Tobey = 14

For Z R Welch Messrs Campbell Duffie
 Hampton Norman Pennington Sims
 Tipton Williams and Wilson = 9

For Jesse Turner Messrs Armstrong Bunch
 and Mr President = 3

For John D Adams Haycock = 1

For S P Hughes Ferguson = 1

Absent Messrs Stanford Sullivan & Throver

Representatives voting for B F Danley
 were Messrs Avera Bruley Cobb Coleman
 of Clark Coleman of Phillips Cubage
 Cunningham Davis of Pope Davis of Searcy
 Denagan Eagle Farr Fishback Fisher
 Gardner Harrison of Saline Harrison of Yell

Headlee Hearn Hervey Jennings Jones Lee Mainard
 Martin of Faulkner McKannon Milor Mooney Murphy
 Price Puddy Ratcliff Rector Robeson Sams
 Sawyer Smith Lute Thomas Thomason Weaver
 Wells Whitehead Wilson Williams of Mississippi = 45

For I R Welch Messrs Allen Barnett Blanken
 ship Durham Foster Gibson Gray McRae
 Morgan Peavy Reed Stanley Edith Warren
 of Union Watson Williamson + Mr Speaker = 17

For Jesse Turner Neil Perry Best Warren
 of Crawford = 3

For John D Adams Messrs Simon Walker
 and Williams of Hot Springs = 3

For J F Hughes Messrs Andrews Chaney
 Davidson Donohoe Floyd Hill McHenry
 Morton = 8

B F Dauley having received Fifty nine
 votes a majority of the whole number was
 by the President declared duly elected a
 member of the State Board of Finance

On motion of Senator Jenkins the joint
 assembly dissolved

The Senate thereupon
 returned in a body to the Senate Chamber
 and was called to order by the President

On motion of Senator Pindall the Senate
 adjourned

Approved

Attest

James H. Jones
 President,

Jacob F. Smith
 Secretary

Senate Chamber Little Rock
Thursday February 8th 1877

The Senate met pursuant to adjournment at 10 o'clock A.M. and was called to order by Hon J K Jones President of the Senate.

The roll was called by the Secretary and the following Senators answered to their names.

Meigs Armistead Blackwell Bunch Campbell
Chism Crowley Duffie Ferguson Hampton Harris
Haycock House Mulkey Norman Pennington
Pindall Reagan Sims Sullivan Throver Tipton
Tobey Williams Wilson and Mr President = 25

Absent Senators East Hicks Johnson Jenkins
Kerr and Stanford = 6

A quorum present

Prayer by the Chaplain Rev S. H. Buchanan.

The Journal of the preceding day was read approved and signed by the President and Secretary.

Senators Jenkins Kerr Johnson and East answered to their names

A message was here received from the House of Representatives by assistant Clerk Holland as follows

Hall House of Representatives
February 8th 1877.

Mr President

I am instructed by the House of Representatives to inform your honorable body of the passage by the House of House bill No. 40. entitled "An act to amend Section 4644 of Gaults Digest"

Also of the passage by the House of House bill No. 43. Entitled

"A bill to be entitled an act to amend the Revenue laws of the State of Arkansas

Also of the passage by the House of House bill No. 59. Entitled "an act to legalize and make valid certain proceedings of justices Courts in Pulaski County"

Also of the passage by the House of House bill No. 81. entitled "a bill to be entitled" "an act to legalize defective acknowledgments"

Also that the House has concurred in Senate amendment to House bill No. 8. Entitled "an act entitled an act to amend section one of the act establishing a Court of Common Pleas in the counties therein named approved Dec 14th 1875"

Also that the House has concurred in Senate amendments to House bill No. 16. entitled "A bill to be entitled an act for creditors of the estates of deceased persons to sell real estate to pay debts of said persons in certain cases"

All of which is respectfully submitted for your consideration

Thomas W Newton
Clerk.

Senator Campbell presented the petition of Citizens of Baxter County asking to be attached to Searcy County.

The petition was read and on motion of Senator Campbell referred to the Committee on County and County lines.

Senator Pindall submitted the following.

Mr President

I am instructed by the Committee on the Judiciary to present the following as a new Rule and recommend its adoption.

Resolved - That whenever a standing committee shall report a bill

or an amendment to a bill, in obedience to a reference to such committee; such bill or amendment shall be read a first time immediately on the receipt of such report.

Respectfully Submitted

Pindall

Chairman

Senator Johnson moved that the resolution be adopted and on this motion called for the Ayes and noes. The call was sustained.

When, the roll was called and the resolution was adopted.

Ayes = 26 Noes = 3

The Senators voting in the affirmative were Messrs Armistead Blackwell Bunch Campbell Chism Crowley Duffie East Ferguson Harris Haycock Hicks House Johnson Jenkins Kerr Mulkey Norman Pindall Reagan Sims Sullivan Tobey Williams Wilson and Mr President = 26

Those voting in the negative were Messrs Hampton Punnington and Thrower.

Absent Senators Stanford and Lipton = 2

Senator Sims chairman of the committee on Federal Relations submitted the following report.

Mr President

The committee on Federal Relations to whom was referred that portion of the Inaugural address of his Excellency Governor Miller on the necessity and propriety of writing and submitting the early, intermediate, and present history of the State of Arkansas, in the language of the Governor "whether the time has not come for us to make some effort toward rescuing from oblivion the thrilling records of our history, and your committee submit for your consideration

whether it may not be desirable for the present Legislature to aid and encourage the compilation of the early history of our State.

The history of the world is replete in this matter of interest and effort throughout the entire civilized world to give to all nations their origin, progress, and especially their advancement on the high plane of a distinguished civilization, from which others may copy at will from those stand points that may elevate others if copied and practiced by the younger who are ambitious of legitimate and praiseworthy emulation.

Your committee are of the opinion that a history of our State is demanded and we think that it would meet with a hearty response of the public will.

There are many resources that could be obtained to advance and greatly expedite the contemplated effort to make it interesting and disseminate the same throughout the State and elsewhere.

It would be certainly a praiseworthy effort to establish a State historical society at the Capitol of the State, and solicit such correspondence and would redound to the favor of the contemplated procedure in the premises.

In conclusion your committee, after due investigation in the premises have instructed me to report by bill, and recommend its passage.

All of which is most respectfully submitted.

L. H. Sims.

Chairman

Committee on Federal Relations

S.B. Senate bill No. 100, Entitled "a bill to be entitled
No. 100. an act to increase the appropriation to the contingent fund for collecting materials for, and writing a history of Arkansas," reported by the committee on Federal Relations, was read the first time and placed on the calendar.

Senator Throver submitted the following report.

Mr President

Your committee on finance to whom was referred House bill No. 125: "An act appropriating Forty thousand Dollars to pay the mileage per diem and contingent expenses of the General Assembly have had the same under consideration and have instructed me to report the same back with a recommendation that it do pass.

Respectfully
J. O. Throver
Chairman.

Senator Duffie submitted the following report.

Mr President.

The committee on State Lands to whom was referred Senate bill No. 63. entitled "An act authorizing the Auditor to turn over certain records to the Commissioner of State lands" have had the same under consideration and herewith return it and recommend that it do pass.

Respectfully Submitted

M. W. Duffie
Chairman

Senator Williams submitted the following report

Mr President

The committee on the Judiciary to whom was referred House bill No. 4. Entitled "A bill to be entitled an act to require County Treasurers of the State of Arkansas to give sufficient bonds and for other purposes" have had the same under consideration.

I am instructed by the committee to return it with the recommendation that it pass.

Respectfully Submitted

Williams for
the committee

Senator Duffie submitted the following report

Mr President

The committee on the

Judiciary to whom was referred Senate bill No. 86
 "An act to be entitled an act to change venue
 in certain cases" have had the same under
 consideration and herewith return it with the
 recommendation that it pass

Respectfully Submitted
 Duffie
 for Committee.

Senator Pindall submitted the following report

Mr President

S B
 No. 65 The committee on the Judiciary
 to whom was referred Senate bill No. 65 an
 act to amend Section 1028. of Haults Digest
 requiring County Treasurers to give bond" have
 had the same under consideration. I am
 instructed to return it with the recommendation
 that it be indefinitely postponed

Respectfully Submitted

Pindall

Chairman.

On motion of Senator Pindall the report of
 the committee was adopted.

Senator Wilson submitted the following report

Mr President

S B
 No 64 The committee on the Judiciary
 to whom was referred Senate bill No. 64.
 Entitled "an act to amend Section 1028
 concerning bonds of County Treasurers and
 to require County Treasurers to give sufficient
 bond" have had the same under consideration
 and instruct me to return the bill with
 recommendation that it be indefinitely
 postponed

Wilson

for Committee.

On motion of Senator Wilson the report
 of the committee was adopted.

Senator Hicks submitted the following report

Mr President

Your committee on Education have had Senate bill No. 53 under consideration and have instructed me to report the same and recommend that it be referred to committee on State Lands

Respectfully Submitted
Hicks
for Committee.

On motion of Senator Hicks the report of the committee was adopted

Senator Bunch submitted the following report.

Mr President

The committee on Rail Roads and other internal improvements have had - under consideration Senate bill No. 71. Entitled an act to amend an act to encourage mining and manufacturing in the State of Arkansas, and a majority of said committee have instructed me to report the bill back to the Senate and recommend its passage.

Bunch
Chairman

Senator Lipton submitted the following report

Mr President

Your committee on Education to whom was referred Senate bill No 54 entitled "An act to regulate the practice of medicine and surgery in the State of Arkansas, beg leave to report that they have had the same under consideration and would respectfully recommend that the bill be indefinitely postponed

Lipton
for Committee.

On motion of Senator Johnson Senate bill No. 521 was referred to the Judiciary committee

Senator Johnson submitted the following report

Mr President

The committee on the Judiciary to whom was referred Senate bill No. 87. "An act to amend section 4718 of Hawth's Digest" have had the same under consideration

I am instructed to return it with the recommendation that it pass.

Respectfully Submitted

Johnson

for Committee

Senator Lipton submitted the following report

Mr President

Your committee on engrossed bills to whom was referred Senate bill No. 69, entitled "An act to define and punish vagrancy" beg leave to report that they have had the same under consideration and find it correctly engrossed. All of which is Respectfully Submitted.

Lipton

Chairman.

Senator Jenkins submitted the following report.

Mr President,

The Judiciary committee to whom was referred Senate bill No. 67, "An act to prevent frauds in elections" have had the same under consideration and ask leave to submit the following report.

Under Section 1. of article 3. of the Constitution every male citizen of the United States or male person who has declared his intention of becoming a citizen of the same, of the age of twenty one years who has resided in the State twelve months

and in the County six months and in the voting precinct or ward one month next preceeding any election where he may propose to vote, shall be entitled to vote at all elections by the people.

Section two article Three of the Constitution provides That all elections shall be free and equal. No power civil or military shall ever interfere to prevent the free exercise of the right of suffrage nor shall any law be enacted whereby the right to vote at any election shall be made to depend upon any previous registration of the electors name or whereby such right shall be impaired or forfeited except for the commission of a felony at common law upon lawful conviction thereof.

We conclude from Section 2, That any law enacted requiring a poll tax receipt to be exhibited by the applicant to vote would be unconstitutional and that the end sought by the bill to be attained can only be reached by a Constitutional amendment and would therefore recommend that the bill do not pass

Judkins
for the committee.

Senator Judkins moved That the report of the committee be adopted.

The motion was put and adopted.

Introduction of bills being the regular order.

S. B. Senator Mulkey introduced Senate bill No 101. Entitled "An act to protect tax payers"

The bill was read the first time and on motion of Senator Chism the rules were suspended and the bill was read

the second time and referred to the Judiciary Committee

S.B. Senator Harris introduced Senate bill No. 102.
No. 102. Entitled "an act to amend the first paragraph of Section 4727 of Smith's Digest and for other purposes"

The bill was read the first time and on motion of Senator Harris the rules were suspended and the bill was read the second time and referred to the Judiciary Committee.

S.B. At 11 o'clock A.M. the President announced
No. 61. that the consideration of Senate bill No. 61 was the special order for this hour by the Senate in Committee of the whole.

On motion of Senator Williams the special order was postponed till Monday next and made special order for that day at 11 o'clock A.M. in Committee of the whole

H.B. On motion of Senator Throver the rules
No. 125. were suspended and House bill No. 125. Entitled "An act to make an appropriation to pay the mileage per diem and contingent expenses of the General Assembly" was taken up and read by title.

Senator Pennington moved to amend the bill by striking out "forty thousand" and and inserting in lieu thereof "sixty thousand".

The amendment was read the first time and on motion the rules were suspended the amendment was read the second time when

Senator Pennington moved that the amendment be adopted

The motion was put by the President and lost.

S.B.
No. 125.

On motion of Senator Hicks ~~the rules were suspended~~ and the bill was read the third time, when the question was,

Shall the bill pass?

Which was decided in the affirmative.

Ayes = 29 Noes = none

The following Senators voted in the affirmative

Mrs Armstrong Blackwell Bunch
Campbell Chism Lowrey Duffie East
Ferguson Hampton Harris Haycock Hicks
House Johnson Jenkins Kerr Mulkey
Norman Pennington Pindall Reagan
Sims Sullivan Tipton Tobey Williams
Wilson and Mr President = 29.

In the negative none.

Absent Senators Stanford and Thrown = 2

So the bill passed.

The title of the bill was read and adopted.

S.B.
No 50

Senator Kerr called up substitute for Senate bill No. 50 Entitled "An act to alter the 5th 7th and 8th Judicial Circuits of the State of Arkansas and to create the 12th Judicial circuit and to fix the time of holding the Courts in the counties composing said circuits"

The bill was read the second time

Senator Williams moved to amend the bill by adding the word "next" after the word "August" in the last line of the bill.

The amendment was read the first time and on motion the rules were suspended and the amendment was read

the second time and adopted.

S.B. Senate bill No. 92. entitled "an act for the relief of John Robertson" was taken up and read the second time.

Senator Haycock moved that the bill be referred to the committee on state lands

On motion of Senator Chism the Secretary was instructed to return the original certificate to Senator Williams upon his filing with the Secretary a certified copy of the same

The question occurring upon the motion of Senator Haycock to refer the bill to the committee on state lands it was decided in the affirmative and the bill was so referred.

A message was here received from the House of Representatives by assistant Clerk Holland as follows

Hall House of Representatives
February 8th 1877:

Mr President

I am instructed by the House of Representatives to inform your honorable body of the passage by the House of House Joint Memorial No. 5. entitled "A memorial in relation to the Hot Springs Reservation in Arkansas" and herewith respectfully transmit the same for your favorable consideration

Thomas W Newton
Clerk.

S.B. Senate bill No. 94. Entitled "an act to amend an act to provide for the appointment of Notaries Public in this State" was taken up and read the second time and on motion of Senator Crowley referred to the Judiciary committee.

S B
No 99 Senate bill No. 99. Entitled "a bill for an act to provide for the election of a chief of Police in Cities and incorporated towns" was taken up and read the second time and on motion of Senator Johnson referred to the committee on Elections.

S B
No 93 Senate bill No. 93. Entitled "a bill for an act to amend section 1066 of Haults Digest in relation to appeals and writs of error in the Supreme Court of this State" was taken up and read the second time and on motion of Senator Storman referred to the Judiciary Committee.

On motion of Senator Johnson Gul King White was invited to a seat on the floor of the Senate.

S B
No 32 Senate bill No. 32 Entitled "An act for the relief of J I Griffin & Sons" was taken up and read the third time.

Senator Pennington was called to the Chair.

On motion of Senator Williams Senate bill No. 32 was referred to the Finance Committee with instructions to inquire whether or not the subject matter of the claim had been provided for by pre-existing laws

H. B.
No. 27 House bill No. 27 Entitled "an act to amend sections five and twenty seven of an act entitled an act fixing the regular terms for holding the County Courts of the State and fixing the salaries of County Judges and the per diem pay of associate Justices in the several Counties in this State approved Feby 5th 1875" was taken up and being read the third time the question was
Shall the bill pass?

which was decided in the affirmative

Ayes = 26 Noes = 0

The following Senators voted in the affirmative
Messrs Armistead Blackwell Bunch Campbell
Chism Crowley Duffie East Ferguson Harris
Haycock House Judkins Kerr Mulkey
Norman Pennington Pundall Reagan Sims
Sullivan Lipton Lobey Williams Wilson and
Mr President.

In the negative none
Excused from voting Senator Hicks

Absent Senators Hampton Johnson Stanford
and Throver = 4

So the bill passed

The title of the bill was read and adopted.
The President resumed the chair

S B No 81 Senate bill No. 81. Entitled "an act fixing
the time for holding elections in this state"
was taken up and being read the third
time the question was Shall the bill pass?

which was decided in the affirmative

Ayes = 18 Noes = 8

The following Senators voted in the
affirmative Messrs

Bunch Crowley Duffie
Hampton Haycock Hicks House Judkins
Kerr Mulkey Norman Pennington Pundall
Reagan Sims Sullivan Lipton and Lobey

Those voting in the negative were messrs
Armistead Blackwell Campbell Chism
Ferguson Harris Williams and Mr President.

Absent Messrs East Johnson Stanford
Throver and Wilson = 5

So the bill passed

The title of The bill was read and adopted

H. J. M. On motion of Senator Pennington the rules were suspended and House Joint Memorial No. 5. "A memorial in relation to the Hot Springs Reservation in Arkansas" was taken up and read the first time and on motion the rules were further suspended and the memorial was read the second time and placed on the calendar.

On motion of Senator Haycock the rules were suspended and the resolution of Senator Norman relative to the Jefferson County investigation was taken up.

On motion of Senator Williams the Senate adjourned
Approved

James K. Jones
President.

Attest;

Jacob F. Folsom
Secretary

Senate Chamber Little Rock
Friday February 9th 1877.

Senate met pursuant to adjournment at 10 o'clock A.M. and was called to order by Hon J K Jones President of the Senate.

The roll was called and the following Senators answered to their names.
Messrs Armistead Blackwell Burch Campbell
Chism Crowley Duffie East Ferguson Hampton
Harris Haycock Hicks House Johnson Judkins
Kerr Mulkey Norman Punnington Pindall Reagan
Sims Stanford Sullivan Lipton Tobey Williams
Wilson and Mr President = 20.

Absent Senator Thrower = 1

A quorum present

Prayer by The Rev S H Buchanan Chaplain

The Journal of the preceding day was read corrected and signed by the President and Secretary.

Senator Wilson submitted the following report.

Mr President
The committee on Finance to whom was referred Senate bill No 48. have had the same under consideration and instruct me to report the same back and recommend its passage.

Wilson

for Committee

On motion of Senator Wilson Senate bill No. 48 was laid on the Table ^{call} subject to.
Senator Hampton submitted the following report.

Mr President

The standing committee on Elections having examined Senate bill No. 85. to be entitled "An act to regulate the return of abstracts of Elections for Governor and other State Officers and amend existing laws in reference thereto" have instructed me to report the same back and recommend

its passage

"Signed"

Hampton.

Chairman.

Senator Armistead submitted the following report

Mr President

Your committee on Auditors and Treasurers Books to whom was referred Senate bill No. 84 Entitled "An act authorizing the Auditor of State to draw his warrant upon the Treasurer for amount of lost or destroyed Arkansas State Treasurers certificates of indebtedness" have had the same under consideration and herewith return it with the recommendation that it do not pass.

Armistead.

for committee.

On motion of Senator Kerr The report of the committee and Senate bill No. 84 were laid on the Table subject to call.

Senator Lipton submitted the following report.

Mr President

Your committee on Engrossed bills to whom was referred Senate bill No. 44, Entitled "an act to permit Judges of the Circuit Court to adjourn the Term of a Circuit Court beyond the term of another and to legalize the proceedings &c" beg leave to report that they have had the same under consideration and find it correctly engrossed. All of which is respectfully submitted

Lipton

Chairman.

Senator Pennington submitted the following report

Mr President

The Joint Select Committee on Hot Springs Reservation have had under consideration House Joint Memorial to The Congress of the United States asking for

the establishment of a Hospital at Hot Springs in Garland County" and have directed me to return the same to the Senate and recommend its passage

Respectfully Submitted

Jennings

of Hot Springs.

Introduction of bills being the regular order

S. B. Senator Hicks introduced Senate bill No. 103.
No 103 Entitled "An act to be entitled an act to amend sections 879. 880. and 887 of Haults Digest relating to Coroners Juris"

The bill was read the first time

Senator Kerr moved to suspend the rules and have the bill read the second time.

The motion was put and lost and the Senate refused to suspend the rules.

S. B. Senate bill No. 100. Entitled "A bill to be
No. 100. entitled, an act to increase the appropriation to the contingent fund for collecting materials for, and writing a history of Arkansas" was taken up and read the second time.
~~The bill was read the first time~~

Senator Williams moved that the rules be suspended and the bill be made the special order for tomorrow at 11 o'clock

The motion was put by the President and lost and the Senate refused to suspend the rules.

On motion of Senator Throver the bill was laid on the table subject to call.

A message was here received from the House of Representatives by assistant Clerk Holland as follows

Hall House of Representatives
February 9th 1877

Mr President.

I am instructed by the House of Representatives to inform your honorable body of the rejection by the House of Senate bill ^{no. 7.} entitled "A bill to be entitled an act to amend Section two thousand three hundred and eighteen of the Revised Statutes" and herewith respectfully return the same

Thomas W Newton
Clerk.

S. B.
No. 11.

Substitute for Senate bill No. 11 Entitled "For an act to amend an act entitled an act establishing a Court of Common Pleas in the Counties therein named approved December 14th 1875" was taken up and being read the third ^{time} the question was

Shall the bill pass?

Which was decided in the affirmative

Ayes = 19 Nays = 10

The following Senators voted in the affirmative

Messrs Blackwell Bunch Campbell
Chism Crowley Duffie Ferguson Hampton
Harris Hicks Johnson Judkins Kerr Mulkey
Norman Sullivan Tobey Williams and
Wilson

Those voting in the negative were
Messrs. East Haycock ^{House} Huntington Findall Reagan
Eims Stanford Tipton and Mr President

Excused from voting Senator Armstrong.

Absent Senator Throver.

So the bill passed.

The title of the bill was read and adopted.

S. B.
No. 58.

Senate bill No. 58. Entitled "An act to regulate appeals and writs of error in criminal cases" was taken up and

being read the third time the question was
 shall the bill pass? which was decided
 in the affirmative

Ayes = 29 Noes = 1

The Senators voting in the affirmative were
 Messrs. Armistead Blackwell Bunch Campbell
 Chism Crowley Duffie East Ferguson Hampton
 Harris Haycock Hicks House Judkins Kerr
 Mulkey Norman Pennington Pundall Reagan Sims
 Stanford Sullivan Lipton Tobey Williams
 Wilson and Mr President

In the negative Senator
 Johnson
 Absent Senator Throver

So the bill passed

The title of the bill was read and adopted.

S.B. Senate bill No. 62 entitled "an act to amend
 No. 62, Section 12 of an act entitled an act to regulate
 the sale of land belonging to the State" was
 taken up and read the third time.

Senator Hicks moved to reconsider the vote
 by which the bill was ordered to the third
 reading. The motion was put and lost and the
 Senate refused to reconsider.

At 11 o'clock the President announced special
 order, the consideration of Senate bill No. 69.

When on motion of Senator Bunch the
 special order was postponed until Senate bill
 No 62, which was under consideration, should
 be disposed of.

The question then was on
 the passage of Senate bill No. 62, which
 was decided in the affirmative

Ayes = 28 Noes = 2.

The following Senators voted in the affirmative
Messrs Armistead Blackwell Bunch Campbell
Crowley Duffie East Ferguson Hampton Harris
Haycock Hicks House Johnson Jenkins Mulvey
Norman Pennington Findall Reagan Sims Stanford
Sullivan Lipton Lobey Williams Wilson and
Mr President.

Those voting in the negative were
Senators Lehigh and Kerr.

Absent Senator Throver = 1.

So the bill passed

The title of the bill was read and adopted.

S. B. Senate bill No. 69 Entitled "An act to
No. 69. define and punish vagrancy" was taken
up and read the third time.

Senator Haycock moved that the bill be
recommitted to the judiciary committee with
instructions to strike out sections five and six

The motion was put and lost and the Senate
refused to recommit the bill

Senator Sims was called to the chair

Senator Duffie moved that the bill
be laid on the table subject to call

The motion was put and lost and the
Senate refused to table the bill

The President resumed the chair.

Senator East moved that the bill be
recommitted to the judiciary committee
which motion was ruled to be out of order.

Senator Jenkins moved the previous question
when the question was shall the main
question be now put?

Which was decided
in the affirmative, and the question

then was Shall the bill pass?
which was decided
in the affirmative

Ayes = 17 Noes = 13

The following Senators voted in the affirmative
Messrs Armistead Blackwell Chism Ferguson
Hampton Hicks Johnson Judkins Kerr Mulkey Norman
Pennington Reagan Sullivan Williams Wilson
and Mr President

Those voting in the negative were Messrs
Bunch Campbell Crowley Duffie East Harris
Haycock House Pindall Sims Stanford Thrower
and Lipton

Absent Senator Lobey

So the bill passed

The title was read and adopted

H-J-M House Joint Memorial No. 5 - "A memorial in
relation to the Hot Springs Reservation in Arkansas"
No. 5. was taken up and being read the third time
the question was
Shall the bill pass?

which was decided in the affirmative

Ayes = 22 Noes = none

The following Senators voted in the affirmative

Messrs Armistead Blackwell Bunch
Campbell Chism East Ferguson Hampton
Harris Hicks House Johnson Judkins Mulkey
Pennington Pindall Sims Stanford Lipton Williams
Wilson and Mr President.

In the negative none

Absent Senators Crowley Duffie Haycock Kerr
Norman Reagan Sullivan Thrower and Lobey = 9
So the Memorial passed. Title read and adopted.

Senator Williams asked and obtained leave of absence for Senator Blackwell till Wednesday next.

On motion of Senator Williams the Senate adjourned

Approved

Attest,

James H. Jones
Secretary

James H. Jones
President

Senate Chamber Little Rock
Saturday February 10th 1877

The Senate met pursuant to adjournment at 10 O'clock A.M. and was called to order by Hon J K Jones President of the Senate

The roll was called by the Secretary and the following Senators answered to their names, Messrs Armistead Burch Campbell Chism Duffie Ferguson Hampton Harris Haycock Hicks House Johnson Jenkins Mulkey Norman Pindall Reagan Sims Stanford Sullivan Tipton Lobey Williams Wilson and Mr President = 25

Absent Senators Blackwell Browley East Kerr Pennington and Thrower = 6

A quorum present

Prayer by Rev S H Buchanan Chaplain

The Journal of the preceding day was read approved and signed by the President and Secretary. Senators Browley, East, Kerr and Thrower answered to their names.

On motion of Senator Duffie Hon E W Harris was invited to a seat on the floor of the Senate

On motion of Senator Norman the sub committee of the Committee on Elections was granted leave to sit during the sessions of the Senate and to subpoena witnesses if ~~by them~~ deemed necessary

Senator Campbell submitted the following report

Mr President

The committee on enrolled bills has examined Senate Concurrent Memorials No's 3, 6 and 7 and have instructed me to report them correctly enrolled said memorials have been signed by the Speaker of the House the President of the Senate and delivered to the Governor for his consideration on this 10th day of February 1877

John Campbell
Chairman,

Senator Hicks submitted the following

Resolved, — That the Judiciary committee be instructed to enquire into the propriety of providing by law for the interchange of Circuit Judges in accordance with article 7. Section 22. of the Constitution and report by bill or otherwise

"Signed"

Hicks.

On motion of Senator Hicks the resolution was adopted.

Senator Crowley submitted the following report

Mr President

The committee on the Judiciary to whom was referred Senate bill No. 102. "An act to amend the first paragraph of Section 4727 of Hunt's Digest and for other purposes" have had the same under consideration. I am instructed to return the bill and recommend that it do not pass.

Respectfully submitted

Crowley of Green

On motion of Senator Norman the report was adopted

Senator Findall submitted the following report

Mr President.

The committee on the Judiciary to whom was referred Senate bill No. 96. "A bill for an act to be entitled an act to regulate the practice as to injunctions" have had the same under consideration and herewith return it with a substitute in lieu thereof. The passage of the substitute is recommended

Respectfully submitted

Findall

Chairman

The substitute was read the first time and on motion of Senator Findall the rules were suspended and the substitute was read the second time

Senator Pundall moved to amend the substitute by inserting after the words "Circuit Judge" the words "Judge of Iulaski Chancery Court" and after the words "Circuit Court" the words "or Iulaski Chancery Court" whenever they occur in the substitute.

The amendment was read the first time and the rules were suspended and the amendment read the second time and adopted.

On motion of Senator Williams the substitute was adopted and ordered engrossed.

A message was here received from the House of Representatives by assistant clerk Holland as follows

Hall House of Representatives
February 10th 1877

Mr President

I am instructed by the House of Representatives to inform your honorable body of the passage by the House of House bill No. 30. entitled "a bill for an act to provide for the compensation of appraisers of real estate Bank Lands in certain cases"

Also of the passage of House bill No 54 entitled "an act to be entitled an act to amend the attachment laws of the State of Arkansas"

Also of the passage of House bill No. 35 entitled "an act entitled an act to amend sections 443. 444. 445. 446 and 447 Chapter 2. Gautts Digest regulating the issuance of specific attachments"

Also of the passage of House bill No. 114 entitled "A bill for an act to be entitled an act to suppress the gaming device known as keno etc and herewith respectfully transmit the same for your favorable consideration"

Thomas W Newton
Clerk.

Senator Wilson submitted the following report

Mr President

The committee on Claims to whom was referred the petition of John Hare have had the same under consideration and are of opinion that the petitioner is not entitled to the relief prayed and have instructed me to report accordingly.

Respectfully Submitted
Wilson
Chairman

On motion of Senator Kerr the report was laid on the table subject to call

Senator Johnson submitted the following report

Mr President

The committee on the Judiciary to whom was referred Senate bill No. 26 an act to be entitled "an act to amend section one of an act entitled an act to prevent the firing of woods marshes or Prairies &c" have had the same under consideration and like on a previous occasion recommend that it do not pass

Respectfully Submitted
Johnson
for committee

On motion of Senator Ferguson the report of the committee was adopted

Senator House submitted the following report

Mr President

The committee on the Judiciary to which was referred Senate bill No. 94 "An act to amend an act to provide for the appointment of Notaries Public in this state" have had the same under consideration and herewith return it with the recommendation that it do not pass

Respectfully Submitted. J W House
for committee

On motion of Senator Hicks Senate bill no. 94. was indefinitely postponed

Senator Lipton submitted the following report

Mr President

Your committee on engrossed bills to whom was referred Senate bills No. 78 entitled an act to prevent the sale of alcoholic vinous or malt spirits or liquor within a distance of five miles of Walnut Hill Lafayette County Arkansas. Also Senate bill No. 73. entitled "an act to amend Section 1046 of Haults Digest". Also Senate bill No. 18. entitled, "an act to protect employees of Rail Road Corporations and persons who have stock killed in the operation of Rail Roads &c" beg leave to report that they have had the same under consideration and find them correctly engrossed

Lipton

Chairman

Senator Ferguson submitted the following report

Mr President

Your committee on Agriculture has had under consideration Senate bill No. 83. "An act to amend Section 4207 Chapter 94. of Haults Digest and a majority of the committee has instructed me to return the bill to the Senate and recommend that the bill be laid on the table

A H Ferguson

Chairman

On motion of Senator Williams the report of the committee and Senate bill No. 83 were laid on the table till Monday next.

Senator Ferguson submitted the following report

Mr President

Your committee on Agriculture has has under consideration Senate bill No. 98. "an act to amend Section 4207 of Haults Digest" and a majority of

The committee has instructed me to return the bill to the Senate and recommend that the bill be laid on the table

Respectfully

A H Ferguson

Chairman

On motion of Senator Kerr the report and Senate bill No. 98 were laid on the table till Monday next.

Senator Ferguson submitted the following report

Mr President

Your committee on Agriculture has had Senate bill No. 82 "An act to make valid mortgages on crops" under consideration and a majority of the committee has requested me to return the bill and recommend that the bill be laid on the table

A H Ferguson
Chairman

Senator Hampton moved that the report be adopted

Senator Duffie moved that the report and Senate bill No. 82 be laid on the table till Monday next.

The motion was put and adopted and the report and bill laid on the table till Monday.

S B No 104 Senator Johnson introduced Senate bill No. 104, Entitled "A bill for an act in regard to suits against Rail Roads"

The bill was read the first time and on motion of Senator Johnson the rules were suspended the bill was read the second time and referred to the committee on Rail Roads and other internal improvements

S.B. No. 103. Senate bill No. 103 Entitled "an act to be entitled an act to amend Sections 879, 880 and 887 of Gantt's Digest" relating to

"Coroners Juries" was taken up and read the second time and on motion of Senator Pindall referred to the committee on Expenditures

S B No 80 Senate bill No. 80. Entitled "An act to provide for the publication of a statement of the receipts and expenditures of public money" was taken up and being read the third time the question was

Shall the bill pass? which was decided in the affirmative

Ayes = 26 Noes = none

The following Senators voted in the affirmative Messrs. Armistead Bunch Campbell Chism Crowley Duffie East Ferguson Hampton Hicks House Johnson Jenkins Kerr Mulkey Norman Pindall Reagan Sims Stanford Sullivan Tipton Tobey Williams Wilson and Mr President

In the negative none

Absent Senators Blackwell Harris Haycock Pennington and Throver = 5

So the bill passed

The title of the bill was read and adopted.

Senator Duffie asked and obtained leave of absence for Senator Pennington till Tuesday next.

S B No. 3- Senate bill No. 3- Entitled "An act to amend an act entitled an act to protect and encourage sheep raising in this State" was taken up and read by title

Senator Duffie moved to adopt the report of the Committee on Agriculture recommending the rejection of the bill

Senator Hicks moved that the report of

the committee be laid on the table.

Senator Williams moved to refer the report to the Committee on ~~State Lands~~ claims

The question recurring on the motion of Senator Hicks to lay the report on the table Senator Johnson called for the Ayes and noes

The call was sustained. When the roll was called and the motion lost

Ayes = 10 Noes = 19

The following Senators voted in the affirmative Messrs Bunch Campbell Hicks Jenkins Norman Pindall Sullivan Williams Wilson and Mr President

Those voting in the negative were Messrs Armstrong Chism Crowley Duffie East Ferguson Hampton Harris Haycock House Johnson Kerr Mulkey Reagan Sims Stanford Thrower Lipton Lobey

Absent Senators Blackwell and Pennington = 2

So the Senate refused to lay the report on the table.

Senator Thrower moved to adopt the report of the committee

Senator Hicks moved that the Senate go into committee of the whole for the consideration of Senate bill No. 5 and House bill No. 2.

The motion of Senator Thrower taking precedence Senator Williams called for the Ayes and noes, the call was sustained

When the roll was called and the motion to adopt the report was decided in the affirmative

Ayes = 16 Noes = 13

~~So the report of the committee was adopted~~

Senators voting in the affirmative were Messrs Armistead Chism Browley Duffie East Ferguson Hampton Harris House Kerr Mulkey Reagan Sims Thrower Lipton + Wilson

Those voting in the negative were Messrs Bunch Campbell Haycock Hicks Johnson Judkins Norman Pindall Stanford Sullivan Tobey Williams and Mr President.

Absent Senators Blackwell and Pennington

So the report of the committee was adopted

4.13.1
No. 2. Senator Hampton moved that House bill No. 2. "an act to repeal an act to protect and encourage sheep raising in this state" be taken up.

And on this motion Senator Kerr called for the Ayes and Noes, the call was sustained

The question being put was decided in the affirmative

Ayes = 20 Noes = 9

Senators voting in the affirmative were Messrs Armistead Bunch Chism Browley Duffie East Ferguson Hampton Harris Haycock House Johnson Judkins Kerr Reagan Sims Stanford Thrower Lipton and Wilson

Those voting in the negative were Messrs Campbell Hicks Mulkey Norman Pindall Sullivan Tobey Williams and Mr President.

Absent Senators Blackwell and Pennington

4.13.1
No. 2. House bill No. 2. was taken up and on motion of Senator Kerr read the third time

Senator Pindall moved that the bill be referred to the Judiciary committee with instructions to examine and report what effect the passage of the

bill would have on the collection of taxes for the present year.

Senator Kerr called for the Ayes and noes. The call was sustained, when the roll was called and the motion to refer was lost.

Ayes = 8 Noes = 21

Senators voting in the affirmative were Messrs Campbell East Mulkey Mulkey Norman Pindall Lobeys Williams Wilson and Mr President.

Those voting in the negative were Messrs Armistead Bunch Chism Crowley Duffie Ferguson Hampton Harris Haycock Hicks House Johnson Judkins Kerr Reagan Sims Stanford Sullivan Thrower Lipton and Wilson.

Absent Senators Blackwell and Punnett = 2

So the Senate refused to commit the bill.

The question then was,

Shall the bill pass?
which was decided in the affirmative

Ayes = 22 Noes = 7

Senators voting in the affirmative were Messrs Armistead Bunch Chism Crowley Duffie East Ferguson Hampton Harris Haycock Hicks House Judkins Kerr Norman Pindall Reagan Sims Stanford Sullivan Lipton and Wilson.

Those voting in the negative were Messrs Campbell Johnson Mulkey Thrower Lobeys Williams and Mr President.

Absent Senators Blackwell and Punnett = 2

So the bill passed.

The title of the bill was read and adopted.

After the call of the roll and prior to the announcement of the result Senator Thrower moved to recommit the bill.

The President decided that no motion could be entertained from the beginning of the roll call until the result was announced by the chair.

From this decision Senator Thrower appealed to the Senate.

And the question then was, shall the decision of the Chair stand as the sense of the Senate? which being put, was decided in the affirmative and the decision of the Chair was sustained.

S. J. R. Senate Joint Resolution No. 14 "relative to a mail route therein mentioned" was taken up and No. 14 being read the third time the question was

Shall the Resolution be adopted? which was decided in the affirmative

Ayes = 26 Noes = none

The following Senators voted in the affirmative Messrs. Bunch Campbell Chism Crowley Duffie East Ferguson Hampton Harris Hicks House Johnson Jenkins Kerr Mulkey Norman Pindall Reagan Sims Stanford Thrower Lipton Lobey Williams Wilson and Mr President

In the negative none

Absent Senators Armistead Blackwell Haycock Pennington and Sullivan = 5

So the resolution was adopted

The title of the resolution was read and adopted.

S B Senate bill No. 85. Entitled "An act to regulate No. 85 The return of abstracts of elections for Governor and other State Officers and amend existing laws in reference thereto" was taken up and read the third time and on motion of Senator Pindall recommitted to the Committee on elections

H. J. M.
No. 1.

House Joint Memorial No. 1. "A memorial to The Congress of the United States asking for the establishment of a Hospital at Hot Springs in Garland County" was taken up and being read the third time the question was, shall the memorial pass?

which was decided in the affirmative

Ayes = 25 : Noes = none

The following Senators voted in the affirmative
Messrs Bunch Campbell Crowley Duffie East
Ferguson Harris Haycock Hicks House Jenkins
Kerr Mulkey Norman Pindall Reagan Sims
Stanford Sullivan Thrower Lipton Tobey
Williams Wilson and Mr President

In the negative none:

Absent Senators Armistead Blackwell Chism
Hampton Johnson and Pennington = 6

So the memorial passed

The title of the memorial was read and adopted

S. B. Senate bill No. 44 "An act to permit judges
No. 44. of the Circuit Court to adjourn the term of
a Court beyond the term of another and
to legalize the proceedings &c" was taken up
and being read the third time the question
was

Shall the bill pass?

which was decided
in the affirmative

Ayes = 23 : Noes = none.

The following Senators voted in the affirmative
Messrs. Bunch Campbell Chism Crowley
Duffie Ferguson Harris Haycock Hicks
House Johnson Jenkins Kerr Norman Pindall
Reagan Sims Sullivan Lipton Tobey
Williams Wilson and Mr President
Excused from voting Senator East.
In the negative = none

Absent Senators Armistead Blackwell Hampton
Mulkey Stanford Thrower and Pennington = 7

So the bill passed.

The title of the bill was read and adopted

H.B. House bill No. 22. Entitled "An act to change
No. 22. the time for holding the Probate Courts of Clay
andoinsett Counties" was taken up and being
read the third time the question was

Shall the bill pass?
which was decided
in the affirmative.

Ayes = 24 Noes = 1

The following Senators voted in the affirmative
Messrs Armistead Bunch Campbell Chas. Browley
Duffie East Ferguson Harris Haycock Hicks
House Johnson Jenkins Kerr Mulkey Norman
Pindall Reagan Sims Lipton Lobey Williams
and Wilson

In the negative Mr. President

Absent Senators Blackwell Hampton Pennington
Stanford Sullivan and Thrower = 6

So the bill passed

The title of the bill was read and adopted

H.B. House bill No. 4. Entitled "An act to require
No. 4. County Treasurers of the State of Arkansas to give
sufficient bonds and for other purposes" was taken
up and being read the third time the question
was

Shall the bill pass?
which was decided
in the affirmative

Ayes = 20 Noes = 4

The following Senators voted in the affirmative
Messrs. Armistead Bunch Campbell Chism
Crowley Duffie Ferguson Harris Hicks House
Judkins Kerr Mulkey Norman Sims Sullivan
Lipton Williams and Wilson

Those voting in the negative were Messrs.
East Haycock Pindall and Mr President

Absent Senators Blackwell Hampton Johnson.
Pennington Reagan Stanford and Throver = 7

So the bill passed.

The title of the bill was read and adopted

H.B. House bill No. 26. Entitled "an act entitled
No. 26. an act to repeal an act creating Courts
of Common Pleas in Faulkner and Mississippi
Counties" was taken up and being read the
third time the question was

Shall the bill pass? which was
decided in the affirmative

Ayes = 23 Noes = none

Senators voting in the affirmative were the
following

Messrs Armistead Bunch Chism
Duffie East Ferguson Hampton Harris
Haycock Hicks House Judkins Kerr Mulkey
Norman Pindall Sims Sullivan Lipton.
Lobey Williams Wilson and Mr President

In the negative none

Absent Senators Blackwell Campbell Crowley
Johnson Pennington Reagan Stanford and
Throver = 8

So the bill passed

The title of the bill was read and adopted

On motion of Senator Williams the rules were suspended and the Secretary instructed to return House bill No. 26. to the House of Representatives on this day or Monday next

S. B. Senate bill No. 68, Entitled "an act to amend Section 841 of Grant's Digest and to legalize acknowledgments heretofore taken before County and Probate Judges" was taken up and being read the third time the question was upon the passage of the bill

which was decided in the affirmative

Ayes = 25 Noes = 1

Senators voting in the affirmative were Messrs. Armistead Bunch Campbell Chism Crowley Duffie East Ferguson Hampton Harris Haycock House Johnson Jenkins Mulkey Norman Pindall Sims Stanford Sullivan Tipton Tobey Williams Wilson and Mr President

In the negative Senator Hicks

Absent Senators Blackwell, Kerr, Pennington Reagan and Thrower = 5

So the bill passed

The title of the bill was read and adopted

S. S. B. Substitute for Senate bill No. 50. Entitled "An act to alter the 5th 7th and 8th Judicial Circuits of the State of Arkansas and to create the 12th Judicial Circuit and to fix the time of holding the Courts in the Counties composing said Circuits" was taken up and read by title

Senator Pindall offered a substitute for the substitute which was read the first time

On motion of Senator Pindall two hundred and fifty copies of the substitute were ordered printed and the original bill and substitute

laid on the table.

On motion of Senator Norman Col J L Barrow was invited to a seat on the floor of the Senate

On motion of Senator Campbell Judge Sorrells was invited to a seat on the floor of the Senate.

S.B. Senate bill No. 87. Entitled "An act to amend section 4718 of Gaults Digest" was taken up and being read the third time the question was.

Shall the bill pass?

which was decided in the affirmative

Ayes = 18 Noes = none.

The following Senators voted in the affirmative

Messrs Armistead Bunch Campbell Duffie Ferguson Hampton House Kerr Mulkey Norman Pindall Sims Stanford Sullivan Tipton Williams Wilson and Mr President.

In the negative none
Excused from voting Senator Loberg

Absent Senators Blackwell Chism Crowley East Harris Haycock Hicks Johnson Jenkins Pennington Reagan and Throver = 12

So the bill passed

The title of the bill was read and adopted

S.B. Senate bill No. 71. Entitled "an act to amend an act entitled an act to encourage mining and manufacturing in the State of Arkansas approved Feby 16th 1875" was taken up and being read the third time the question was

Shall the bill pass?

which was decided in the negative

Ayes = 7 Noes = 15

The following Senators voted in the affirmative
Messrs Campbell Johnson Mulkey Norman Lobey
Williams and Mr President

Those voting in the negative were Messrs
Armistead Bunch Chism Duffie Ferguson
Hampton Hicks House Pindall Sims Stanford
Sullivan Thrower Lepton and Wilson

Absent Senators Blackwell Crowley East
Harris Haycock Judkins Kerr Pennington & Reagan

So the Senate refused to pass the bill

S. 3, Senate bill No. 63, Entitled "an act authorizing
No. 63, the auditor to turn over certain records to the
commissioner of state lands" was taken up
and being read the third time the question
was

Shall the bill pass?
Which was decided
in the affirmative

Ayes = 23 Noes = none

Senators voting in the affirmative were Messrs.
Armistead Bunch Campbell Chism Duffie
East Ferguson Hampton Hicks House Judkins
Kerr Mulkey Norman Pindall Sims Stanford
Sullivan Thrower Lepton Williams Wilson and
Mr President

In the negative none

Absent Senators Blackwell Crowley Harris
Haycock Johnson Pennington Reagan and Lobey = 8

So the bill passed

The title of the bill was read and adopted

Senator Pindall moved that the Senate do
now adjourn.

The motion was put and lost.

S. B. Senate bill No. 86, Entitled "An act to be No. 86, entitled an act to change venue in certain cases" was taken up and being read the third time the question was on the passage of the bill.

Which was decided in the affirmative

Ayes = 24 Noes = none

Senators voting in the affirmative were messrs Armistead Bunch Campbell Chism Crowley Duffie East Ferguson Hampton Haycock Hicks House Jenkins Kerr Mulkey Norman Pindall Sims Stanford Sullivan Thrower Tobey Williams and Mr President

In the negative none

Absent Senators Blackwell Harris Johnson Pennington Reagan Lipton and Wilson

So the bill passed

The title of the bill was read and adopted

Leave being granted Senator Thrower submitted the following report

Mr President

The committee on the Judiciary to whom was referred Senate bill No. 24, "An act to repeal Section 2696 of Hault's Digest" have considered the same for which a substitute was adopted and recommend that it do not pass.

The original bill is also returned

Thrower

for the committee

Senator Norman from the Judiciary committee submitted the following report

Mr President

The committee on the Judiciary to which Senate bill No. 24 to regulate sales under execution was referred

appointed a sub Committee consisting of Messrs Norman and Wilson to consider the propriety of reporting a substitute for said bill. Said sub committee reported a substitute for said Senate bill which said substitute was adopted by said committee.

By subsequent action of said committee a majority of said committee directed its Chairman to report back said original bill and substitute with a recommendation that they do not pass.

A minority of said committee not agreeing to said report beg leave to submit to the Senate the following reasons why they think the substitute to said Senate bill ought to become a law.

1st Because it reinstates the old system of sales under execution.

2nd Because the present credit system operates to the disadvantage of both creditors and debtors.

3^d Because it largely increases the expenses of Judicial sales, defers the settlement of debts, and makes the collection laws of the State a mere snare and deception.

For these and many other reasons which might be adduced the undersigned members of Judiciary committee would respectfully request the passage of said substitute

"Signed"

Norman,
Williams,
Wilson,
Duffie,

On motion of Senator Hicks the Senate adjourned
Approved,

Attest:

James H. Jones
Secretary

James H. Jones
President,

Senate Chamber Little Rock
Monday February 12th 1877.

The Senate met pursuant to adjournment at 10 o'clock A.M. and was called to order by Hon J K Jones President of the Senate.

The roll was called by the Secretary and the following Senators answered to their names.

Messrs Armistead Bunch Campbell Chism
Crowley Duffie Ferguson Hampton Harris
House Jenkins Kerr Mulkey Norman Pindall
Reagan Sims Stanford Sullivan Tipton Tobey
Williams Wilson and Mr President = 24

Absent Senators Blackwell East Haycock
Hicks Johnson Pennington and Thrower = 7

A quorum present

Prayer by Rev S H Buchanan Chaplain

The Journal for Saturday February 10th was read approved and signed by the President and Secretary.

On motion of Senator Ferguson Senate bill No. 82 "Entitled" "an act to make valid mortgages on crops" was re committed to the Committee on Agriculture.

Senator Wilson submitted the following report.

Mr President

The committee on claims to whom was referred the resolution of the Senate instructing the committee to investigate the claim of Joseph Bossart against the State and to report by bill or otherwise, ask leave to report. That the committee has investigated the claim and find that in July 1874 the claimant presented his claim to the Military Board constituted by law to pass upon such claims that the Board passed upon the claim and allowed the claimant \$275-

That upon further investigation the committee

finds that the claimant has been paid nothing.
The committee is of opinion that the claimant
ought to be paid the amount awarded by the Board
and I am instructed to report the bill herewith
transmitted and to recommend its passage.

All of which is respectfully submitted

Wilson

Chairman.

S.B. Senate Bill No. 105. "To be entitled an act for
No. 105. The relief of Joseph Bossart" introduced by the
Committee on Claims was read the first time.

Senator Pindall moved to suspend the rules
and have the bill read the second time.

The motion was put and lost and the Senate
refused to suspend the rules.

Senator Pindall submitted the following report

Mr President

Your committee on Finance to whom
was referred Senate bill No. 74 "An act to
make silver coin a legal tender" have had the
same under consideration and direct me to
return the bill with the recommendation that
it do not pass.

Pindall

for the committee.

On motion of Senator Pindall the report of
the committee was adopted.

Senator Tipton submitted the following report

Mr President

Your committee on engrossed bills
to which was referred Senate bill No. 96,
entitled "An act to regulate the practice as to
injunctions" beg leave to report that they have
had the same under consideration and find
it correctly engrossed.

Respectfully submitted

Tipton. Chairman

Senator Kerr submitted the following report

Mr President

I dissent from the recommendation of the majority of the committee on Agriculture that Senate bill No. 83 entitled "an act to amend section 4207 of Gauley's Digest Chapter 94 be rejected and would respectfully recommend that the same do pass.

Respectfully Submitted
R. J. Kerr.

Senator Kerr moved that the report of the minority be adopted and on this motion Senator Johnson called for the Ayes and Noes, the call was sustained when the roll was called and the motion to adopt the minority report was lost

Ayes = 10 Noes = 14

The following Senators voted in the negative
Messrs Armistead Bunch Campbell Lehigh Duffie East Ferguson Hampton House Johnson Judkins Mulkey Norman Reagan and Wilson.

Those voting in the affirmative were Messrs Harris Kerr Pindall Sims Stanford Sullivan Lipton Lobey Williams and Mr President

Senator Crowley was excused from voting

Absent Senators Blackwell Haycock Hicks Pennington and Throver = 5

A message was here received from the House of Representatives by assistant Clerk Holland as follows

Hall House of Representatives
Febry 12th 1877

Mr President

I am instructed by the House of Representatives to inform your honorable body of the passage by the House of House bill No. 35 entitled "an act

to amend Section Seventy of an act entitled
 an act fixing the regular times for holding
 the County Courts of the State and fixing
 the salaries of the County Judges in the several
 Counties in this State approved Feby 5th 1875—
 and herewith respectfully transmit the same
 for your favorable consideration

Thomas W Newton
 Clerk

On motion of Senator Johnson Messrs Carrington
 and Bridwell were invited to seats on the floor
 of the Senate

On motion of Senator Storman the majority
 report of the Committee on Agriculture recommen-
 ding that Senate bill No. 83 be laid on the
 table was adopted

Senator Findall asked and obtained leave of
 absence for Senator Hicks on account of illness
 of his family.

At 11 o'clock A M The President announced
Special order. The consideration of the majority
 and minority reports from the Judiciary committee
 on Senate bill No. 61.

Whereupon the Senate
 resolved itself into a committee of the whole
 Senator Williams in the chair

At 12 o'clock M The committee arose and
 through its chairman reported progress and
 asked leave to sit again on Wednesday next
 at 11 o'clock

On motion of Senator Findall the report of
 the committee was laid on the table.

Senator House submitted the following report

Mr President

Your committee on Finance to
 which was referred Senate bill No. 89. "An act
 to provide for the improvement construction and

repair of the several Court Houses and jails in this state" have had the same under consideration and beg leave to return the same with the following amendments..

1st In section one in the line before the last between the words "Constructing" and "Jail" insert the words "or creating"

2nd In section two in line six after the words "Court House" insert the words "or rent a Court House" and at the end of the last line in said section add the words "or in renting a Court House"

3^d In section three in line six after the word "Arkansas" add the words "issued prior to the passage of this act" and strike out all that part of section three after the words "and all the tax payers thereof" and immediately after said words add the following "Provided the county Court in its discretion may authorize the collection of such license in other funds"

4th Strike out section four and add the following as a substitute for said section

Section 4. That all laws and parts of laws in conflict with this act are hereby repealed and this act take effect from and after its passage.

And with these amendments they recommend the passage of the bill

Respectfully Submitted.

J W House

for committee

The amendment was read the first time and on motion of Senator Haycock the rules were suspended the amendment was read the second time, adopted and the bill ordered engrossed.

Senator Johnson moved to suspend the rules and take up Senate bill No. 18.

The motion being put by the President was lost and the Senate refused to suspend the rules

On motion of Senator Hampton the rules were suspended and House bill No. 173. entitled
 4. B. "A bill to be entitled an act to change the
 No. 173 time of holding the Circuit Court in Herkesead County in the 9th Judicial Circuit" was taken up and read the first time and placed on the calendar.

5. B. Senator Williams introduced Senate bill No. 106.
 No. 106 entitled "A bill for an act to define the duties of Prosecuting attorneys and the Attorney General in certain cases"

The bill was read the first time and on motion of Senator Williams the rules were suspended and the bill was read the second time and referred to the Judiciary committee

6. B. Senator Pindall introduced Senate bill No. 107.
 No. 107 entitled "A bill to be entitled an act concerning suits in the Supreme Court in which counties shall be parties"

The bill was read the first time and on motion of Senator Williams the rules were suspended and the bill was read the second time and referred to the Judiciary committee.

7. B. Senator Tipton introduced Senate bill No. 108.
 No. 108 entitled "an act to be entitled an act to amend an act entitled an act to regulate the labor system"

The bill was read the first time and placed on the calendar.

8. B. Senator Williams introduced Senate bill No. 109. Entitled "an act to preserve the evidence of publication of proclamations and legal notices"

The bill was read the first time and placed on the calendar.

S. B. Senator Kerr introduced Senate bill
No. 110. Entitled "an act to be entitled
an act to fix the fee of clerks in certain
cases"

The bill was read the first time and placed on the calendar

S. B. Senator Hampton introduced Senate bill
No. 111. Entitled "a bill for an act to
amend an act establishing a Court
of Common Pleas in the counties therein
named approved Dec. 15th 1875"

The bill was read the first time and placed on the calendar.

On motion of Senator Campbell the Senate adjourned.

Approved.

Attest:

Jacob F. French
Secretary

James K. Jones
President.

Senate Chamber Little Rock
Tuesday February 13th 1877

The Senate met pursuant to adjournment at 10 O'clock AM and was called to order by Hon J K Jones President of the Senate

The roll was called by the Secretary and the following Senators answered to their names

Messrs Bunch Campbell Chisari Crowley Duffie
Ferguson Hampton Harris Haycock House Johnson
Jenkins Kerr Norman Pindall Reagan Sims
Stanford Sullivan Tipton Tobey Williams Wilson
and Mr President = 24

Absent Senators Armistead Blackwell East
Hicks Mulkey Pennington and Throver = 7

A quorum present

Prayer by Rev S H Buchanan Chaplain

The Journal of the preceding day was read approved and signed by the President and Secretary

§ No Senator Williams submitted Senate Memorial
No. 6, No. 6 "asking the establishment of a mail
route from Little Rock to Cedar Glades
Montgomery County the most direct and
practicable route to travel"

The memorial was read the first time and placed on the calendar.

Senator Pindall submitted the following report

Mr President

The committee on the Judiciary to which was referred Senate bill No. 97 "a bill to be entitled an act to change the Revenue laws" have considered the same and recommend that it be referred to the Committee on Finance

Respectfully Submitted
Pindall Chairman

On motion of Senator Tiedall the report of the committee was adopted.

Senator Duffie submitted the following report

Mr President

Your committee on State lands to which was referred Senate bill No. 92, entitled "An act for the relief of John Robertson" have had the same under consideration and directed me to report the same back and recommend its passage with the following amendment.

Strike out all after the enacting clause in Section one and substitute the following

Section 1. That the Treasurer of State is hereby authorized and directed to issue his certificate of indebtedness to the said John Robertson for the sum of two hundred and ninety dollars and ninety cents, which certificate shall be receivable for any of the Swamp lands in this State subject to entry.

"Signed"

Duffie
Chairman

The amendment was read the first time and on motion the rules were suspended and the amendment was read the second time and adopted and the bill ordered engrossed.

Senator Bunch submitted the following report

Mr President

Your committee on County and County lines have had under consideration Senate bill No. 28, entitled "An act to repeal an act to change and define the boundary line between the counties of Marion and Boone" and have instructed me to report the same back to the senate with the recommendation

that the bill and accompanying papers be referred to the Judiciary Committee.

Bunch

Chair of Committee

On motion of Senator Bunch the report was adopted.

Senators Armistead Mulkey and East answered to their names.

Senator Judkins submitted the following report

Mr President

The committee on the Judiciary to which was referred Senate bill No. 93, "A bill for an act to amend ^{Sect.} 1066 of Gauley in relation to appeals and writs of Error in the Supreme Court of this State" have had the same under consideration.

I am instructed by the committee to return it with the recommendation that it pass

Respectfully Submitted

Judkins

for the committee

Senator Johnson submitted the following report

Mr President

The committee on the Judiciary to which was referred Senate bill No. 95, "an act to repeal 2885 and 2886 of Gauley's Digest" have considered the same.

The committee being of opinion that by reference to acts of the General Assembly of 1874 & 5 Section 53 page 157 it will be found that the sections the bill intends to repeal have been so repealed by the acts named, the bill is therefore returned with the recommendation that it do not pass.

Respectfully Submitted

Johnson

for committee

On motion of Senator Williams the report was adopted.

Senator Mulkey submitted a report as follows.

Mr President

Your committee on County and County lines have had under consideration Senate bill No. 23 to fix the salary of the County and probate Judge of Jefferson County and recommend that it do pass

M J Mulkey

Chairman

S. B. Senator House introduced Senate bill No. 112. No. 112, entitled "An act to amend an act amendatory to an act relative to the management of the Arkansas Industrial University"

The bill was read the first time and placed on the calendar.

S. B. Senator Williams introduced Senate bill No. 113. No. 113. entitled "An act to authorize the County Court or Judge thereof in vacation to direct the employment of a guard for jail in certain cases and to repeal section 3576 of Gault's Digest"

The bill was read the first time and on motion of Senator Williams the rules were suspended. The bill was read the second time and referred to the committee on County and County lines.

A message was here received from the House of Representatives by Chief Clerk Newton as follows.

Hall House of Representatives
Feb'y 13th 1877.

Mr President

I am instructed by the House of Representatives to inform your honorable body of the passage by the House

of House bill No. 18. entitled "a bill to be entitled an act to amend Section 1936 Chapter 43 of Gauley Digest to establish uniformity of argument of Counsel in criminal and civil cases"

Also of the passage by the House of House bill No. 65. entitled "an act to pay the costs of inquisitions on convicts in the Penitentiary"

Also of the passage by the House of House bill No. 82. entitled "an act to amend Sections 2635, 2636, 2637 and 2642 of Gauley Digest"

Also of the passage by the House of House bill No. 94. entitled "a bill to be entitled an act to declare the marriage between William J. S. Knott and Martha Jackson legal and valid also declaring the marriage between Cicero Lewissey and Lanny Maxwell legal and valid"

All of which is herewith respectfully transmitted.
Thomas W. Newton
Clerk.

S.B. Senator Ferguson introduced Senate bill No. 114
S.B. 114 entitled "an act to be entitled an act to legalize an order of the County Court of Monroe County readjusting the school districts of said County"

The bill was read the first time and placed on the calendar.

B. Senator Norman introduced Senate bill No. 115.
S.B. 115 entitled "an act to amend an act to fix the times of holding the Circuit Courts in the 10th Judicial District"

The bill was read the first time and on motion of Senator Duffie the rules were suspended and the bill was read the second time and referred to the Judiciary Committee.

Senator East moved that the Senate do now adjourn.

The motion was put by the President and lost, and the Senate refused to adjourn.

S.B. Senate bill No. 111. Entitled "a bill for an act to amend an act establishing a court of common Pleas in the Counties therein named approved Dec 15th 1875" was taken up and read the second time and on motion of Senator Hampton two hundred and fifty copies were ordered printed and the bill was referred to the Judiciary committee.

S.B. Senate bill No. 109 Entitled "An act to preserve the evidence of publication of proclamations and legal notices" was taken up and read the second time and on motion of Senator Williams referred to the committee on printing.

S.B. Senate bill No. 110. Entitled "an act to be entitled an act to fix the fee of clerks in certain cases" was taken up and read the second time and on motion of Senator Kerr referred to the joint select committee on fees.

S.B. Senate bill No. 108 Entitled "an act to be entitled an act to amend an act entitled an act to regulate the labor system" was taken up and read the second time and on motion of Senator Yipton referred to the Judiciary committee.

H.B.
No. 173. House bill No. 173 Entitled "a bill to be entitled an act to change the time of holding the Circuit Court in Hempstead County in the ninth Judicial Circuit" was taken up and read the second time and on motion of Senator Johnson the rules were suspended and the bill was read the third time when the question was shall the bill pass? which was decided in the affirmative

Ayes = 27 Noes = none

The following Senators voted in the affirmative

Messrs Armistead Bunch Campbell Chism
Crowley Duffie East Ferguson Hampton Harris
Haycock House Johnson Jenkins Kerr
Mulkey Norman Pindall Reagan Sims Stanford
Sullivan Thrower Zipton Williams Wilson
and Mr President = 27

In the negative none

Absent Senators Blackwell Hicks Munyngton and
Lobey = 4

So the bill passed

The title of the bill was read and adopted.

S B Senate bill No. 105. Entitled "An act for the relief
No. 105. of Joseph Bossart" was taken up and read
the second time and placed on the calendar.

On motion of Senator Pindall the Senate adjourned
Approved,

Attest:

Jacob Frolich
Secretary.

James K. Jones
President.

Senate Chamber Little Rock
Wednesday Feby 14th 1877

The Senate met pursuant to adjournment at 10 o'clock A.M. and was called to order by Hon J N Jones President of the Senate

The roll was called by the Secretary and the following Senators answered to their names.

Messrs Bunch Campbell Chism Cowley
Ferguson Hampton Harris Johnson Judkins
Kerr Mulkey Norman Pennington Pindall Reagan
Sims Stanford Sullivan Tipton Tobey Williams
Wilson and Mr President = 23

Absent Senators Armistead Blackwell Duffie
East Haycock Hicks House and Thrower = 8

A quorum present

Prayer by The Rev W A Forbes of Arkadelphia
Arkansas

The Journal of the preceding day was read approved and signed by the President and Secretary.

Senators Armistead Blackwell East Haycock
and House answered to their names

S.M. Senator Mulkey submitted Senate Memorial
No. 57 No 57 asking a mail route from Mineral
Springs to Center Point in Howard County
Arkansas

The memorial was read the first time
and placed on the calendar.

Senator Harris submitted the following,

Resolved by the Senate of the State of
Arkansas, That the fiftieth Rule for the
government of the Senate be amended
so as to read. "when the Senate adjourns
it shall be to 9 A.M. of the next
succeeding day unless another day and

how be specifically named.

Harris, of Poinsett

Senator Harris moved that the resolution be adopted.

The motion being put by the President was lost and the Senate refused to amend the Rule.

A message was here received from the House of Representatives by assistant clerk Holland as follows

Hall House of Representatives
February 14th 1877.

Mr President

I am instructed by the House of Representatives to inform your honorable body of the adoption by the House of House Concurrent Resolution No. 5. Providing for the printing of 2000 copies of Governor Miller's "Special message"

Also of the passage by the House of House bill No. 78. entitled "an act to be entitled 'an act to provide for constructive service in cases of attachment before justices of the peace'"

Also of the passage by the House of Senate bill No. 17 entitled "a bill to be entitled an act to amend section 1699. of Gault's Digest" all of which are herewith respectfully transmitted

Thomas W Newton
Clerk

Senator Campbell offered the following resolution

Resolved by the Senate — That John Marks for his honesty and faithfulness is recognized as assistant Door Keeper and that the Secretary of the Senate be authorized to issue him pay certificates as such

"Signed"

Campbell, of Searcy Co

Senator Campbell moved that the resolution be adopted.

Senator Williams moved the adoption of the following as a substitute for the resolution of Senator Campbell.

Resolved - That John Marks as janitor receive the sum of Four dollars per day.

On motion of Senator Campbell the resolution and substitute were referred to the Committee on Expenditures.

Senator Duffie submitted the following resolution.

Resolved That the Secretary of the Senate be requested to furnish to each member of this body with one copy of the acts of the Extraordinary Session of the Legislature of 1874.

On motion of Senator Duffie the resolution was adopted.

Senator Hampton submitted the following report.

Mr President

I am instructed by the Standing Committee on Elections to report back Senate bill No. 85. to be entitled an act to regulate the returns of abstracts of elections for Governor and other State Officers and amend existing laws in reference thereto and recommend that said bill be amended by inserting "Clerk of the Supreme Court" in place of "Secretary of State" wherever "Secretary of State" occurs in the bill and recommend that the bill amended as suggested do pass.

"Signed"

Hampton
Chairman.

The amendment was read the first time and on motion of Senator Pindall the rules were suspended and the amendment was read the second time and adopted. and

the bill was ordered engrossed.

Senator Williams submitted the following report

Mr President

The committee on Expenditures to which Senate bill No. 103 was referred have had the same under consideration and recommend that the bill be amended by adding after the word "penitentiary" in the 15th line of the first section "or other prisoner" and add at the end of the first section the following "or any regular practicing Physician who may attend such convict or prisoner in his or her last sickness and such Physician shall certify to the Coroner the time place manner and cause of such death, and the Coroner shall endorse his name upon said certificate and return the same as inquisitions are required to be returned.

"Signed"

Williams.

for committee.

The amendment was read the first time and on motion of Senator Williams the rules were suspended and the amendment was read the second time and adopted and the bill was ordered engrossed

A message was here received from the Governor by his Secretary General Pomeroy as follows

To the Senate and House of Representatives:

In a special message communicated to you on the second inst., I referred to a movement on the part of the creditors of the State, toward a compromise of the public debt, and suggested the advisability of deferring legislative action upon the subject, until telegraphic correspondence might be had with the Committee for that purpose appointed at the meeting of our bondholders. I take the earliest opportunity of laying before you the results of such correspondence.

The Committee requested from me a statement, in detail, of the indebtedness, bonded and floating, of the State, a summary of its annual expenditures, and an estimate of its financial resources. Upon such statement, they proposed to base an offer of compromise; as part of which, they were either to take up the floating indebtedness, outstanding in the form of scrip, and to fund the same in the six per cent. bonds of 1875, known as the Loughborough Bonds, or to furnish the State government, at a low rate of interest, with such sums of money as might be required for its conduct until the time when the retirement of the whole body of scrip should enable us to collect our taxes and meet our obligations in currency.

I prepared and forwarded to the Committee a statement such as desired, drawn with a view to the question of settlement, and calculated for the 1st day of July, 1877—that being, probably,

as early a date as could be assigned for final settlement in any case. The returns of assessed valuation from many of the counties not having, as yet, been received at the Auditor's office, the estimate of our resources was based upon an assumed valuation of \$91,000,000; an amount which proves to be something more than two millions of dollars below the actual assessment; but for present purposes, and to under-estimate, rather than exceed, in the calculation, our actual means of payment, I here retain the lower valuation. Nor do I undertake, for the present purpose, to assume as probable the extinguishment, by cancellation or surrender, of any portion of the debt; although, as I shall presently have occasion to remark, it may be practicable to effect such cancellation, provided time be allowed, and provided the credit of the State, such as it now may be, shall meanwhile suffer no new detriment.

The statement furnished the Committee by telegraph, was substantially as follows:

INDEBTEDNESS, FROM OFFICIAL RECORDS OF THE STATE—INTEREST
CALCULATED TO JULY 1, 1877.

FLOATING DEBT.	
Five per cent. Scrip.....	\$ 1,200,890
Interest—estimated.....	178,715
Non-interest-bearing Scrip	31,800
Total floating debt.....	\$ 1,510,414
Deduct amount retired by 1st July—estimated.....	\$ 600,000
Total outstanding, July 1st, 1877.....	\$ 910,414
BONDS HELD BY U. S.	
6 per cent. Bonds—Old.....	\$ 598,000
Interest.....	894,156
6 per cent. Funding Bonds.....	168,000
Interest	57,800
Total Government debt.....	\$1,737,956
NEW BONDS.	
10 per cent. Bonds	\$ 250,000
6 per cent. Bonds of 1874-5.....	250,000
Total New Bonds	\$ 500,000
OLD UNFUNDED DEBT, EXCLUSIVE OF DEBT DUE U. S.	
5 and 6 per cent. Bonds, and interest.....	\$ 455,535
NEW FUNDED DEBT.	
6 per cent. Bonds of 1869-70.....	\$3,000,000
Interest	1,100,510
Total New Funded Debt	\$4,100,510

RAILROAD AID BONDS.	
7 per cent. Railroad Aid Bonds	\$5,350,000
Interest	1,807,145
Total Railroad Aid Bonds	\$7,157,145
LEVEE BONDS.	
7 per cent. Levee Bonds	\$1,988,774
Interest	761,311
Total Levee Bonds	\$2,750,085

RECAPITULATION.

Floating Debt and interest to July 1st, 1877	\$ 910,444
Debt due United States	1,737,950
New Bonds	515,688
Old Bonds, unfunded	485,335
New Funded Debt	4,194,510
Railroad Aid Bonds	7,157,145
Levee Bonds	2,751,118
Total estimated to July 1st, 1877	\$17,752,196

RESOURCES OF STATE.

Assessed value of property, 1877-8	\$91,000,000
Tax for general purposes, and to pay interest on public debt	783,000
Deduct for assessing, collecting, and delinquent	\$ 123,000
Leaving total revenue	\$ 660,000
In addition, there is a 2 mill school-tax.	

EXPENDITURES.

Estimated expenses of State Government, per year	\$ 320,000
Nothing is said about income from other sources; as it is impossible now to give an approximate estimate.	

It will be perceived that in this table I have enumerated, first in order, the outstanding floating indebtedness of the State, the bonds in the hands of the United States, and those issued since the fortunate event of our troubles in 1874, classing these together as being unsusceptible of compromise,—the first because, omitting other considerations, the reception of the scrip, at par, by the State, in payment of taxes, is at all times compellable by writ of mandamus—the second, because, whatever may be the terms hereafter to be obtained from the United States, no calculation can at this time, with safety or propriety, be based upon any hope of partial release of that portion of our debt—and the

third, because the faith and honor of our people is irrevocably pledged to the maintenance of every promise put forth by the present government of their own free choice.

The advances toward compromise were upon the basis of a settlement of *all* outstanding evidences of indebtedness. I did not, therefore, in the statement forwarded, undertake to draw the distinction between the universally recognized and the disputed debt. An estimate based upon this distinction, however, has been prepared, and, whenever it may become relevant to the actual status of negotiations, can be communicated to the General Assembly, or to our creditors.

The telegram was supplemented by a letter, which I subjoin in full:

“ W. H. HAYS, Chairman, and others,

“ Committee Arkansas Bondholders, New York City:

“GENTLEMEN: Your esteemed communication of the 27th ultimo, with resolutions of meeting of Arkansas bondholders in New York, was promptly placed in my hands by Mr. Jno. C. Latham, Jr., one of the agents of the State of Arkansas in New York; and I was glad to receive from the committee, composed of gentlemen of so much influence and prominence, such kindly overtures looking to the permanent and satisfactory adjustment of our State debt.

“ As your committee requested him to do, at your meeting, Mr. Latham has stated to me fully and freely your views touching a settlement; and I can but say, with the object of your movement I heartily concur, and shall be disposed to lend my aid to speedy settlement, in the event your committee will assist, and point out the way the same may be arrived at without future embarrassment to the State, or increase of burden to our people.

“ Your honorable committee is fully aware that for several years past our State has been burthened with a large floating indebtedness in the shape of scrip receivable in payment for all dues to its government, and in consequence of this fact it has been impossible to increase taxation to pay obligations of the State in currency. Even now, we have a large floating debt, and had it not been for your important meeting, I, as Governor of the State, should not have given the settlement of our debt serious consideration until the meeting of the Legislature two years hence, when our financial condition would be less difficult to overcome.

“ Since the receipt of your letter, I have been earnestly at work to perfect a concise and as correct an exhibit of our financial affairs as is practicable to do; and I have telegraphed the same

to your committee for their action and consideration. I enclose you, herewith, duplicate statement of the indebtedness of this State; and I also submit memorandum setting forth the estimated resources and liabilities for the year beginning July 1st, 1877, and ending July 1st, 1878—the latter date being the nearest one, probably, that our State could resume her interest payments.

“The assessment of real estate in Arkansas is made and stands for four years; our present assessment was made last year, and will not be changed until 1880, unless a change is made by the Legislature. We therefore cannot hope for material increase, save it be in personal estate; and this is not probable until a more prosperous era than the present has been enjoyed by the people generally.

“For the past two years our total revenue has greatly exceeded that submitted in the statement enclosed; but this excess represents delinquents from the years 1873-1874, when our State taxes could be altogether deferred by penalty being paid.

“The estimate I submit for State government expenses for years 1877-78, \$320,000, is an increase over the past two years, and is the result of improvements being made on penitentiary, cost of Centennial building, and other minor matters.

On the 1st of July, 1877, our general financial condition will be about as set forth in the statement enclosed, unless changed by legislative action.

“We will have discharged all our current expenses for the previous year, paid of our loan of \$250,000 in New York, and will begin the new year out of debt, save say \$910,445, approximate estimate of the scrip outstanding, interest included.

“Now, if the bondholders of the State will devise the means by which she can be placed at once upon a sound financial basis—such a one that is beyond contingency of default with her present revenues—I will lend to them my co-operation, and shall strive to have speedy action taken by the Legislature.

“An increase of taxation, now, is impossible. The Legislature would not sanction it; I would not; and the present condition of our State would not warrant it. Besides, it could not be done without exceeding the constitutional limit of one per cent.

“There exists here a manifest disposition, on the part of some of the members of our Legislature, to ignore a portion of the bonded debt, altogether; but if your committee can offer the State practicable and favorable settlement, I cannot but think this unnecessary action may be overcome; for it will be clearly the interest of the State to make a just compromise and forever get rid of all the evidences of her misfortunes and dishonest government.

“I cannot impress upon your committee too strongly the importance of speedy action in this matter, as our Legislature will

soon adjourn, and this is a question it is very desirable they should fully investigate and understand.

“As this movement of settlement has been formally inaugurated by the creditors of Arkansas, I shall take great pleasure in laying before them any facts touching our condition; and I will certainly co-operate with them in anything that will lighten the burdens of our people, and add to the growth and prosperity of this Commonwealth.

“Very truly,

“W. R. MILLER.”

In response to these communications, I received, from the Committee, an offer to accept a settlement upon a basis of fifty cents on the dollar for Six per cent. Bonds, thirty-five cents for Railroad Aid Bonds, and fifteen cents for Levee Bonds.

I deem it my duty to lay this proposal before you; but I cannot recommend its adoption, for this reason if for no other, that the limit of taxation to which our resources are equal, and which, at all events, is fixed by the Constitution, would not suffice to pay the interest upon the debt thus reduced. If there be one proposition relative to the re-adjustment of our finances, which is indisputable, it is, that in measuring the amount of our new indebtedness, upon settlement, we must take care not to contract for the payment of a dollar of interest which can not, to an absolute certainty, be paid with invariable promptness, and that every dollar must, in point of fact, be paid with invariable promptness. A failure in one instance to comply with this condition, would be the hopeless destruction of our new-made credit. The surplus annual revenue available, after payment of the annual current expenses of the government (estimated \$320,000), would be insufficient to meet the interest upon our debt on this proposed basis of settlement. Such payment would exceed the limit of our ability; and, hard as it may be upon innocent holders of our securities, the limit of our ability must be the limit of our promise.

I therefore informed the Committee that it would be useless to submit to the General Assembly, for serious consideration, any proposition for the payment of more than fifty, twenty-five, and ten, cents, respectively, upon the classes of bonds named—the first installment of interest to be made payable July 1st, 1878.

The reply of the Committee was, that they could not conscientiously recommend to our creditors a settlement upon the basis; but they did not assume to reject it; and the tone of their communication was of a character, taken in connection with the facts of the situation, to encourage the hope that it requires only personal conference between the officers of the State to whom the General Assembly has entrusted the care of its finances, on the one hand, and the creditors of the State on the other, and a full understanding, by the latter, of our actual financial condition, in order to obtain a settlement acceptable by them, and, save as we may regret our inability to meet every engagement in full, satisfactory to every sensible citizen of the State.

I have laid before you the substance of the preliminary negotiations toward settlement of the public debt. It is precisely because these negotiations have been, thus far, purely of a preliminary character, and insufficient as a basis of immediate practical action, that I avail myself of the constitutional privilege, and fulfill the constitutional duty, of the Executive, in communicating, by special message, my recommendation of the measures which I regard as expedient for the interests of the State, in this all-important matter.

I employ the term "all-important," recognizing the fact that in our disposition of this subject is involved our material, social, and political welfare—public and individual—of the State and of its citizens. On the restoration of our public credit depends the maintenance of the personal credit of our merchants; to a greater extent, perhaps, than in any other community, upon the financial ability of our merchants depends that of our farmers to raise their crops; upon the good name and comfortable condition of our people at large depends the influx of a worthy and valuable immigration, which alone can enable us to develop our native resources, and to vie in prosperity with more fortunate States of the Union.

In the work of re-establishing this credit, we have surely begun well. If a policy is to be judged by its results—and I know no other criterion,—the conservative position assumed by the

representatives, legislative and executive, of the people, since the access to power of the present system of administration, commends itself alike in the past and for the purposes of the future. As I had occasion in substance to remark in my inaugural address, the restoration of legitimate government, in 1874, found an empty treasury, a beggared people, a financial reputation apparently ruined. The scrip of the State, nominally quoted at twenty-five cents on the dollar, was a drug upon the market, even at that price. As the sole practicable means of meeting the contingent expenses of the government, it had become the custom to issue such scrip at the rate of three or four dollars for one; and every day was plunging the State into more hopeless bankruptcy. Money, there was none. Credit, there was none. The people was disheartened, and, because disheartened, comparatively idle. Such was the poverty of the State, that during many months succeeding the change of administration, its officers were habitually compelled to advance their private funds, and even to borrow on their private credit, to obtain the stationery and pay the petty expenses of their offices.

The policy pursued under these disastrous circumstances, was a simple one. It consisted in ignoring no obligation, old or new,—in meeting with promptness, and at whatever sacrifice, every new obligation necessarily incurred,—in the exercise of a rigid, but intelligent, and not illiberal, economy,—and, lastly, in the avoidance of anything like precipitancy in dealing with a public debt so obviously beyond our ability of present liquidation. The confession of our debts accompanied the confession of our poverty, and attracted the respect, and began to create the confidence, of business men. One of the early acts of the administration which succeeded the adoption of the Constitution of 1874, was the passage, by the two houses of the General Assembly, of a joint resolution setting forth the extravagant issue of bonds during the period of "reconstruction," and directing the State Board of Finance, which had been created, "to correspond with the holders of the outstanding bonds of the State, or, at their discretion, at such time and place, and upon such notice, as they

might elect, to call a convention of the bondholders of the State, to meet them for the purpose of discussing the questions involved, with a view to effecting a consolidation and settlement of all just debts, on a basis which would be satisfactory to the people, and within their ability to pay." The correspondence was had. The discretion entrusted, to call a meeting of the bondholders, was not exercised; and this because the abstinence from its exercise became, upon the intelligent and disinterested investigation made by the Board, a part of the policy referred to. It was evident that even the undisputed indebtedness of the State far exceeded, at that time, her ability to pay; that her people needed, first of all, a respite that might afford them opportunity to recuperate their wasted resources; and finally, that in the clear understanding, on the part of her creditors, of this situation of things, they were not disposed to press, and did not undertake to press, an immediate payment, or even an immediate compromise, of the debt.

The results of this policy of patience, good faith, and economy (for the expenses of the State were at once reduced to the lowest figure consistent with the efficient conduct of the government), are before you. Our Ten per cent. Bonds, issued to meet the cost of the brief conflict which gave us deliverance, are scarcely to be bought at par; our scrip is in active demand at seventy-five cents on the dollar; and another six months will see its volume reduced nearly half; the first proposition of compromise, received from our creditors, includes an offer to accept the Six per cent. "Loughborough" Funding Bonds of 1875, at par, in return for the scrip then still outstanding; and in view of the prompt re-payment of the first loan of currency, and of the policy pursued by the past administration, looking toward a settlement, in some form, of all obligations to which the faith of the State has been pledged by a government *de facto*, capitalists hastened to proffer a further advance, at reduced rates of interest. Nor need I remind you, that the enhancement of public credit has kept pace, side by side, with the growing thrift of the people at large, in their private business relations. For the genuine, uninflated prosperity which comes of industry and forms its lasting

reward, I do not hesitate to declare that Arkansas has never stood on as sound a footing as on this day.

Under these circumstances, it is for the General Assembly to judge whether anything in the present condition or surroundings of the State occurs, to justify the experiment of departure from a policy which has given birth to such results. Thus far, every step has been taken with deliberation. Thus far, so long as the people have not been called upon,—as they are not called upon now,—to pay a dollar of tax to meet either principal or interest of any bonded debt contracted previous to April, 1874, we have been content to let well-enough alone. So long as our creditors have forborne to press us, we have forborne to seek them out in order to thrust upon them our dissent from claims which they did not urge. That our course has entitled us, even in our poverty, to some just consideration, appears from the voluntary offer, made to us, of a compromise, which, though impracticable as presented, may, and I fully believe can, eventually be so modified as to place our indebtedness in a situation to be met, and to be met upon terms satisfactory to the entire people of the State. What altered position of affairs has arisen, to require a corresponding change of policy? What new necessity forces upon us a divergence from the course which has brought us such an access of prosperity and credit? A change is an experiment; should the experiment prove a mistake, the disaster that follows may be irrevocable in our generation or in that which shall succeed us. By no possibility can a brief delay work any injury to our people; they are not taxed, now, for the old debt of the State; they will not be taxed in the interval.

I do not wish to be understood as advising delay for the sake of delay, or in the interest of inaction. I should not, indeed,—as I intimated in my letter to the Committee at New York,—have thought it advisable, before the late voluntary action on the part of the financial community, and of the representatives of the creditors of Arkansas in particular, that the question should arise at all, until another two years of exertion on the part of our people should have placed us in a still more prosperous condition

than at present. But that action has been taken; the parties by whom it was had are of high respectability; they are our creditors, and profess to be able to speak for the larger portion of our creditors; and it is due to them, and to our own honor and credit, that we should in some manner respond to their invitation. Upon several grounds, I regard it as desirable that opportunity for further inquiry, to be promptly made, into the circumstances of our financial situation, should be afforded, and the result of such inquiry reported, by the Board of Finance, to the General Assembly; and that any definitive legislative action upon the subject, before such inquiry made, would be premature and dangerous. Knowing that you are actuated by the same motives with myself, I feel quite sure that in the case of a proposition so obvious, a brief statement of these grounds will suffice.

First, a temporary postponement of the subject, until such time as the Finance Board of the State can make its report in the premises, is, as I have said, an act of justice at once to the creditors who have submitted their first proposition, and to ourselves. As above stated, while deprecating a settlement upon the terms which I indicated as the limit of our ability, the Committee of the bondholders by no means refuses, but rather invites, such a proposition on our part. To restore, however, the confidence which creates credit, and so to place our bonds at par in the market, such a proposal must be made to appear to our creditors in its true light of good faith, and untarnished by suspicion of a desire, on our part, to shirk any obligation within our power to meet; and this can be effected only by personal conference and deliberate procedure. I do not hesitate to express my belief (and I speak after due consideration, and with full appreciation of the gravity of the announcement), that if time be allowed, the Finance Board will be able to report to the next General Assembly, or, if deemed expedient, to an extraordinary session of the present body, a proposition, acceptable by our creditors, which will cancel the whole present bonded and floating indebtedness of our State, and afford us a receipt in full for its entire amount, upon the same terms, or substantially upon the same

terms, on which, should other counsels prevail, our undisputed debt, alone, would be paid, while rejected claims for millions of dollars would still be left hanging over us, to keep down our credit, to torment our politics, to constitute a permanent corruption fund for the temptation of our public officers, and eventually, it is probable, with all its accumulated load of interest, to succeed in obtaining recognition at the hands of a future legislature. If I am correct in the belief that such a settlement can be obtained, with the assent of our creditors, I can certainly conceive of no valid or even reasonable ground of objection to the arrangement; and it can not but be that the people would hail its consummation as a happy deliverance from all their embarrassments. A romantic enthusiasm, on the one hand, to force upon the holders of a just debt a payment which they do not ask, or on the other to inflict punishment upon the holders, more or less innocent, of an unjust debt, at the expense of a bad name and perpetual bankruptcy for ourselves, forms no part of practical business, private or public; and the common sense and monied interests of the people demand, in my judgment, a practical solution of this problem. What Arkansas wants, for her prosperity, is, a settlement of her debt upon terms with which she can faithfully comply, a restored credit, a clear balance-sheet, a future unhampered by even the menace of debt. If these ends are attainable, the choice of means, so they be honorable means, is indifferent. Attainable by the method I have pointed out, I believe them to be; and even should this method fail, we should find ourselves certainly in no worse condition than at present; no new tax will have been levied in the interval; and the labor of every month will have gone to swell the resources with which to meet the debt.

In this connection, I may add, that since my last communication, I have received, accompanying a copy of the proceedings of the principal meeting held at New York, to devise means for the relief of the people of the South, a note, not designed for publication, from the President of the meeting, the Hon. Wm. Cullen Bryant, inviting attention to that movement on the part

of the financial community at large, and to the appointment of disinterested arbitrators, whose services are offered to the authorities of the Southern States and to their creditors, to assist in the settlement of the issues arising between them. While I am not at present prepared to make any recommendation upon this branch of the subject, it would be with deep mortification, as a citizen of the State, that I should see Arkansas, first, and probably alone, of all her sisters, to shut the door of compromise, and to subject herself to the odium which, however undeservedly, must attach to such action, among the great mass of business men, to whom the merits and demerits of each of our particular species of indebtedness are and will always remain unknown, and unregarded in determining the question of our moral and financial status.

But, second, I suggest that before any decisive action relative to that portion of our debt the justice of which is in dispute, common fairness, the principles of honor, and our good name, demand that its holders shall be allowed a hearing. Such a hearing they have not at all had. No opportunity was afforded, or tribunal, advisory or final, provided, by the Constitutional Convention. The State Board of Finance, upon whom, as already remarked, the authority to extend a hearing was, by the succeeding General Assembly, conferred, did not regard the time for investigation as having arrived. And the Special Committee of the House of Representatives, to whom, at the present session, was committed the investigation of "frauds connected with the legislation upon and the issue of the Holford, Railroad Aid, and Levee Bonds, of this State," has reported as follows:

"They" (the Committee) "have discharged that duty with such diligence and thoroughness as their limited time and opportunities have admitted. Your Committee, however, feel it due, not less to themselves than to the House, to express their regret that the fast approaching termination of the session of the General Assembly, and the imperative necessity for a final adjustment of our finances, have compelled them to conduct their investigation with rather more haste than they could otherwise have wished."

As a necessary consequence of such enforced haste, there does

not appear, from the officially published proceedings of the Committee, to have been opportunity to summon a single holder of a single bond, out of the millions of dollars of this class of alleged indebtedness outstanding, so as to enable him to tender his claim, to produce his evidence, or to support his cause by argument. The Committee, under these circumstances, deemed it "improper to present any conclusions of their own, and forbear any recommendation in the premises." But it is not upon such necessarily hasty and *ex parte* investigation, that the affairs of a great community are settled, its welfare, honor, or dignity, maintained, or balances of millions adjusted, or the fundamental principles of justice between man and man preserved. Self-respect, "a decent respect for the opinions of mankind," and fair dealing, demand that the commonwealth shall condemn no man's property, or alleged property, himself unheard.

I am fully aware that there is no intention or desire, on the part of the people of Arkansas, or of their representatives, to undertake anything resembling "repudiation," in the odious sense of the word; and that the policy to which that name has been thoughtlessly or maliciously attached, by some, with a view hopelessly to destroy our credit in the markets of the world, and to check our growing prosperity, is but the just protest of a lately oppressed people against the abuses which accompanied the issue of a considerable portion of the bonded debt contracted by their government *de facto*. It would not be in human nature to withhold such protest. But, apart from all other considerations of justice or policy—for I do not propose to discuss any of these, except as they may be incidental to the immediate purpose of this communication,—it is not questioned that some benefit has been derived, accepted, and availed of, by the people of the State, from the issue of some of these bonds. The determination of the question of the extent of benefit accrued, and of the still more important problem of the manner in which these claims are to be treated in the light of our practical financial interest, require, for their adjudication, time, deliberation, and either an impartial tribunal, or the common consent of debtor and creditor.

Third, it appears to me that justice to the holders of that portion of the bonded debt the validity of which is undisputed and indisputable, requires that in the treatment of the matter their wishes should be ascertained and consulted. During some years of connection with the finances of the State, in one or another official capacity, I have never learned of an instance where a holder of this class of bonds has, in person or by attorney, made the slightest movement in support of the policy of payment, in full, of his own claims, to the exclusion of those in dispute. The only action of which I am apprized, on the part of any of this portion of our creditors, has been that of assisting in the present proposal to compromise the entire amount of outstanding obligations, at uniformly classified rates. I need not suggest, that in case such *should* be their preference, the State would be pursuing a suicidal policy in insisting upon a basis of settlement which would leave her subject to future claim and annoyance from other holders, if for substantially the same amount the entire nominal indebtedness could be cancelled at once, with the free consent, and even at the express desire, of her just creditors. I do not undertake to say that such would be the case, for I do not know; but if it be so, then with whatever jealousy I might be disposed to maintain, unimpeached, the honor of the State, I could scarcely recommend the thrusting of moneys upon unwilling receivers.

From the action of such holders of our undisputed debt as have manifested their views at all, we must conclude that their preference for an adjustment, upon some acceptable terms, of the entire amount of debt outstanding, arises from an apprehension that the total rejection of any part will render worthless, in the market, any new pledges issued to themselves; and that they would, in their own interest, prefer to fund their claims at a reduced rate, rather than to receive the full face of their present securities, in another form, and still to find themselves unable to realize. I know that holders do, in point of fact, apprehend the occurrence of such a state of things, should we refuse an offer of feasible compromise. They fear the urging of the argument that

the indebtedness which one legislature regards as valid, may be precisely that which another will refuse to recognize, and *vice versa*; that if distinctions having their ground, in part at least, in political feeling, however just, shall once prevail, they may prevail again, in some changed state of public affairs; and that even an attempted settlement by constitutional enactment, in a State which within the past sixteen years has existed under four different forms of constitution, affords no security against change. I do not undertake to express any opinion upon the justness of such apprehensions; they are cited as the actual expression of opinion of men of business.

At all events, these parties may be apprehensive, and are apprehensive, that in case of immediate and curt refusal at all to recognize certain portions of our bonded debt, our action will be so misunderstood as to destroy our credit, and with it, the value of our promises in their hands. Nor are we ourselves in a situation to criticise such a view of the case. We have to remember that during the session of the Constitutional Convention of 1874, and again at the first session of the General Assembly under the new *regime*, at times when the eyes of the country were upon us, and our liberties and our prosperity were trembling in the balance of public opinion, and of an action, on the part of Congress, to be based upon public opinion, by common consent it was deemed, absolutely indispensable to our success, that we should withhold all movement in the direction of a partial rejection of our outstanding securities. If that policy will now assist our financial standing, we erred, at that time, in not boldly announcing it to the world, at once establishing our credit and character, in an emergency when these were so sorely needed, and profiting, during these past three years, by the access of reputation and wealth which it would have brought us. If we were right then, it is not matter of surprise that those most interested, after ourselves, in the revival of our credit, should be averse to a change of policy now.

Under these circumstances, I am of opinion that if to no others, certainly to the holders of our acknowledged indebtedness, it is

due that time and opportunity should be allowed, for a full expression of their opinion upon this grave subject.

Lastly, and chiefly, I have to say that the confidence expressed, in an earlier portion of this message, that by judicious postponement of action the total obligations of the State might be reduced, with the consent and to the satisfaction of all parties, to substantially or exactly the amount of the debt universally recognized as just, was in large part based upon what I consider a reasonable certainty that, with such brief delay granted, some millions of dollars of disputed indebtedness can and will, by prudent management on the part of your Board of Finance, be entirely cancelled and extinguished, without the compromise of principle and without the payment of a dollar.

For the verification of this belief, I must, as the Chief Executive of the State, and as a member of the Board, ask from you, in this regard, at least, a continuance of the confidence reposed in me by the people, in my election to the position which I have the honor to hold. You will, as men of business, readily recognize the fact that premature publication of the details of business would often defeat the purposes aimed at. I can only say (the newly elected Board of Finance not having yet had the opportunity to meet for organization), that I enjoy, in this expression of opinion, the concurrence of the two surviving members of the late Board, Hon. A. H. Garland and Hon. U. M. Rose, and that in due time it will be my privilege to communicate to the General Assembly the grounds of our belief, and the result of negotiations.

You have before you, gentlemen, freely and frankly expressed, my views upon the question of present action relative to our finances—views deliberately adopted after as thorough study as I have been capable of giving to the whole subject, for the past two years. The principal question of our duty and interest in the matter of ultimate settlement, however, I have, as before remarked, discussed only as incidental to the direct purpose of this message,—that of deprecating hasty decision, and of endeavoring to point out the advantages to be gained by deliberate

~~proceedure~~ We have waited many years for a practical and ~~definitive~~ solution of this great problem. In view of the considerations which I have presented, and especially of that set forth last in order, we can surely wait a few months longer. No harm can possibly accrue. Great good may result. We find ourselves in the situation of an individual whose property has been destroyed by fire. The site of the edifice is covered with the rubbish of our calamity. If we are to rebuild, that rubbish must first be cleared away, systematically and in due order, and the ground smoothed and prepared for a new erection. Bankrupted though we be, our neighbors know that we are bankrupt more through our misfortune than our error. If we recognize the obligations which the world regards as binding upon us, if we manifest a disposition to deal with all as justly as our condition permits, to conceal nothing, to shirk nothing, to help ourselves, we shall have the charity of the world, its good opinion, and its assistance in restoring our fallen prosperity. If we shall take one false step, which, without actually benefitting ourselves, shall destroy the confidence of others, we may never, in this generation, be able to retrieve ourselves.

Nor would the consequences of inconsiderate action at this time, be merely general and prospective. It is idle to suppose that, commercial confidence in our good faith once weakened, we could for a day longer continue to obtain advances for the support, from month to month, of the government of the State. I speak whereof I know. The causes which cut off credit in one region of the financial world, destroy it everywhere. Instead of being able gradually to absorb, or promptly to retire, our floating debt, we should be driven to the issue of additional scrip. Public officers might serve, and public employes might starve, upon the depreciated paper of the State; but our common schools must be closed, our University must languish, our benevolent institutions must practically suspend their work of mercy.

If I am mistaken in these conclusions, I am honestly mistaken. I can only claim for myself that my sole intention is, to

subserve, to the best of my knowledge and ability, the true interests of the entire people of the State. I am sustained, in my opinions, by the officially expressed views of the late Board of Finance, attested by the signature of Messrs. Garland and Rose, as I know that I was by those of its other member, the lamented Gordon N. Peay. The former, in their recent report, say:

"In regard to the settlement of the mass of the debt of the State, the Board, after the most thorough consideration that they have been competent to give to the subject, are of the opinion that no final action should be taken at this time. It admits of a mathematical demonstration that the State is not in a condition to pay the interest on the nominal outstanding debt; and no creditor, as far as the Board is advised, entertains any opinion different from that which is here expressed. As to what offer they will finally make, is unknown even to themselves, from the want of due deliberation, and such consultation as could result in any concerted and definite offer."

"In any event, the State must always be the final arbiter in the matter; and as no inferior tribunal can decide in the premises, the duty of making any final adjudication must devolve on the Legislature as the supreme power of the State.

"As the subject must, then, come before a body that cannot claim to be wholly impartial, we would recommend such an investigation as should fitly stand in the place of a judicial inquiry, so that no one could say that he had been condemned unheard, in defiance of the principles of natural justice. We are convinced that by proceeding with circumspection, and giving to the holders of the bonds of the State an opportunity of perceiving the whole situation, in all its details of calamity and hardship, by evincing a frank, fair, and manly purpose in every step, the public debt can be more satisfactorily settled for the people of the State, and the honor of the State more perfectly sustained, than by any hasty expedient which might suggest that the State precluded inquiry because it might be productive of unfavorable results in some moral point of view."

From these considerations, I respectfully and earnestly recommend to the General Assembly the adoption of legislation authorizing the State Board of Finance to investigate the subject of the bonded and floating indebtedness of the State, to confer with the creditors of the State in relation to a settlement, and to

report to the General Assembly, at the earliest practicable date, the result of their negotiations, with a view to the speedy disposition of the entire question.

W. B. Miller

Governor.

*Executive Office,
Feb. 13th, 1877.*

H.C.R. On motion of Senator Williams House con-
No. 5. current Resolution No. 5. "Providing for the printing
of two thousand copies of Governor Miller's
Special Message" was taken up and read.

Senator Chism moved that the Senate
concur with the House of Representatives

Senator Lipton moved to amend the
Resolution by striking out "two thousand"
and inserting "five thousand".

The motion was put and lost

The question occurring on the motion
of Senator Chism it was put by the President
and the motion adopted

Introduction of bills being the regular
order

S.B. Senator Armistead introduced Senate
No. 116. bill No. 116 Entitled "An act to amend
Section 2991. of Chapter Sixty five of Gault's
Digest"

The bill was read the first time.

Senator Wilson moved that the rules be
suspended and the bill be read the
second time

The motion was put by the President and
lost, and the Senate refused to suspend
the rules.

S.B. Senate bill No. 112, Entitled "An act to
No. 112. amend an act amendatory of an act
relative to the management of the Arkansas
Industrial University" was taken up and read
the second time and on motion of Senator
House referred to the committee on Education

S.B. Senate bill No 114 Entitled. "An act to
No. 114. be entitled an act to legalize an order

of the County Court of Monroe County readjusting the school districts of said County" was taken up and read the second time and on motion of Senator Ferguson referred to the Judiciary Committee

On motion of Senator Findall Senator Thrower was excused for the day on account of illness

S. M. Senate Memorial No. 6. "Asking the establishment No. 6. of a mail route from Little Rock to Cedar Glades Montgomery County the most direct and practicable route to travel" was taken up and read the second time and on motion of Senator Pennington the rules were suspended and the memorial was read the third time when the question was

Shall the memorial pass? which was
decided in the affirmative

Ayes = 25 Noes = none

The following Senators voted in the affirmative

Messrs Armistead Blackwell Bunch Campbell
Chism Crowley Duffie Ferguson Hampton
Harris Haycock House Johnson Mulkey
Norman Pennington Findall Reagan Sims
Stanford Sullivan Lipton Williams Wilson
and Mr President

In the negative none

Absent Senators East Hicks Judkins Kerr
Thrower and Lobby = 6

So the memorial passed

The title of the memorial was read and adopted

On motion of Senator Williams The Secretary was instructed to send the memorial to the House of Representatives this day.

The President submitted the following communication for the consideration of the Senate.

Feb'y 14th 1877

Hon J K. Jones.
President of the Senate.

Will you please submit the enclosed resolution to the Senate at once

Yours Respectfully
J H. Darden
Sec'y

Hugh F Thomason
Chairman
State Immigration Convention.

Resolved — That when this convention adjourns that it adjourn to meet at 3 O'clock this P.M.

Resolved — That the Senators and members of the House of Representatives are especially invited to meet with us and take part in our proceedings and that the Secretary be instructed to furnish each House of the General Assembly with a copy of this resolution at once

J H Darden
Secretary of the
State Immigration Convention

Senator Kerr moved that the Senate do now adjourn and on this motion Senator Johns called for the Ayes and Noes, the call was sustained

When the roll was called and the motion lost

Ayes = 5 Noes = 19

The following Senators voted in the affirmative Messrs. Daffie Harris Kerr Pindall and Sullivan

Those voting in the negative were messrs
Armistead Blackwell Bunch Campbell Chism
Ferguson Hampton Haycock Johnson Mulkey
Norman Pennington Reagan Sims Stanford Tipton
Williams Wilson and Mr President

Absent Senators Lowrey East Hicks House Jenkins
Thrower and Lobey = 7

So the Senate refused to adjourn

S. B. Senate bill No. 18. Entitled "An act to protect
No. 18. employees of Railroad corporations and persons
who have stock killed in the operation of
Railroads &c" was taken up and read the
third time.

On motion of Senator Williams the vote
ordering the third reading of the bill was
reconsidered

Senator Johnson moved to amend the bill
by striking out the words "Circuit" and "prior"
in the first section, and also the words "to the
exclusion of all mortgages or other liens
therebefore recorded" at the end of the first
section of the bill

The amendment was read the first time

On motion of Senator Williams the amendment
was rejected.

The bill was then read the third time
and the question was.

Shall the bill pass?

Which was decided in the affirmative

Ayes = 25 Noes = 1

The following Senators voted in the affirmative

Messrs. Armistead Blackwell Bunch Campbell
Chism Duffie Ferguson Hampton Harris
Haycock House Jenkins Mulkey Norman

Grinnington Findall Reagan Sims Stanford
Sullivan Lipton Lobey Williams Wilson
and Mr President

In the negative Senator Johnson

Absent Senators Crowley East Hicks Kerr
and Throver = 5

So the bill passed

The title of the bill was read and adopted.

S. B. Senate bill No. 78 Entitled "An act to
No. 78. prevent the sale of alcoholic vinous or
malt liquor within a distance of five miles
of Walnut Hill Lafayette County Arkansas"
was taken up and being read the third
time the question was shall the bill pass?

Which was decided in the affirmative

Ayes = 23, Noes = 3.

The following Senators voted in the affirmative
Messrs. Armistead Blackwell Bunch Campbell
Ferguson Hampton Haycock House Johnson
Jenkins Mulkey Norman Grinnington Findall
Reagan Sims Stanford Sullivan Lipton Lobey
Williams Wilson and Mr President

In the negative Messrs Whism Duffie
and Harris

Absent Senators Crowley East Hicks Kerr
and Throver = 5

So the bill passed

The title of the bill was read and
adopted.

On motion of Senator Williams Col
J R Pettigrew was invited to a seat on
the floor of the Senate,

S.B. Senate bill No. 98. entitled "An act to amend No. 98. Section 4207 of Gaunts Digest" was taken up and read by title and on motion laid on the table subject to call.

Senate bill No. 73. Entitled "An act to amend Section 1046 of Gaunts Digest" was taken up and read the third time ...

On motion of Senator Williams the vote by which the bill was ordered to the third reading was reconsidered.

Senator Williams moved to amend the bill by striking out after the word "act" in the second section the words "be and the same is" and insert in lieu thereof the word "are"

The amendment was read the first time and on motion of Senator Williams the rules were suspended the amendment read the second time and adopted.

On motion of Senator Judkins the Senate adjourned

... : Approved

Attest:

Jacob F. Wolcott
Secretary.

James K. Jones
President.

Senate Chamber Little Rock
Thursday February 15th 1877

The Senate met pursuant to adjournment at
10 o'clock A.M. Hon J. R. Jones, Presiding

The roll was called by the Secretary and
the following Senators answered to their names.

Messrs Armistead Blackwell Burch Campbell
Chism Crowley Duffie Ferguson Hampton
Harris House, Johnson Kerr Mulkey Norman
Pennington Riddall Reagan Sims Stanford
Sullivan Tipton Tobey Williams Wilson
and Mr President = 26

Absent Senators East Haycock Hicks Judkins
and Thrower = 5

A quorum present

Prayer by Rev J H Buchanan Chaplain

The Journal of the preceding day was
read approved and signed by the President
and Secretary.

Senator Duffie presented the petition of citizens
of Dorsey County asking a change in
County lines

The Petition was read by the Secretary and
on motion of Senator Duffie referred to
The Committee on County and County lines

Senator Sullivan presented the petition of
citizens of Phillips County asking relief for the
heirs of J. C. Hindman.

The petition was read by the Secretary
and on motion of Senator Sullivan referred
to the committee on claims

Senators Haycock and Judkins answered to
their names.

On motion of Senator Reagan Senator Throver was excused for the day

Senator Sullivan presented the petition of Citizens of St Francis County for relief of Robert Peavy

The petition was read by the Secretary and on motion referred to the committee on county and county lines

Senator Crowley submitted the following report

Mr President

The committee on the Judiciary to which was referred Senate bill No. 115. "An act to amend an act to fix the times of holding the Circuit Courts in the 10th Judicial District" have considered the same.

I am instructed to return the bill with the recommendation that it pass.

Respectfully Submitted

Crowley
of Green

Senator Norman submitted the following report.

Mr President

The committee on the Judiciary to which Senate bill No. 101. "An act to protect tax payers" was referred have directed me to report the same back to the Senate with the enclosed substitute for same.

The committee recommend the adoption of the substitute in lieu of the original bill and the passage of said substitute

Norman
for the committee.

The substitute was read the first time and on motion of Senator Norman the rules were suspended and the substitute was read the second time and adopted.

Senator Wilson moved to amend the substituted bill by striking out the word "Auditor" and inserting in lieu thereof the word "Collector" in the second line of first section.

The amendment was read the first time and the rules being suspended the amendment was read the second time.

When Senator Wilson moved that the amendment be adopted.

The motion being put by the President was lost and the Senate refused to adopt the amendment.

On motion of Senator Williams Mr. Couvers was invited to a seat on the floor of the Senate.

Senator East answered to his name.

Senator Pindall Chairman of the Judiciary Committee submitted the following report.

Mr. President.

Your committee on the Judiciary to which was referred Senate bill No. 28, "An act to repeal an act entitled an act to change and define the boundary line between the Counties of Marion and Boone" have had the same under consideration and find that at the time of the adoption of the Constitution of 1874 Marion County contained less than six hundred square miles.

The act that this bill proposes to repeal attached to Marion County the territory embraced and described in this bill which did not give the County a greater area than six hundred square miles, to pass this act would leave less than this number of square miles.

Section 1 Article 13. of the constitution reads No County now established shall be reduced to an area of less than six hundred square miles nor less than five thousand inhabitants.

nor shall any new County be established with less than six hundred square miles and five thousand inhabitants.

The widest spirit of this section is to require Counties to contain an area of six hundred square miles or more.

It is insisted by the friends of the bill that in as much as Marion County existed at the time of the adoption of the Constitution she was a constitutional County and was tacitly excepted from the general operations of this section, and that the territory in question was attached by a subsequent act of the General Assembly and an act of one General Assembly may be repealed by a subsequent one.

By the act referred to, this territory was attached to the County of Marion and became a part of the County as much so as any other part of its territory.

It would hardly be contended that in view of the section of the Constitution referred to, the General Assembly cut off any portion of the territory of the County and attached it to another County, although it did not reduce the County below the number of square miles it had at the adoption of the Constitution, — and yet the effect on the area of the County would be the same, — as cutting off the territory mentioned in the bill.

Suppose the General Assembly had cut off of Boone and attached to Marion County enough territory to give Marion more than six hundred square miles and then by another act cut off of other territory the excess from Marion and attached to Baxter, could this General Assembly repeal the act attaching the territory of Boone to Marion thus reducing Marion below the constitutional area.

To state the question is to answer it, and to make it apparent that there are exceptions to the general rule that

one general assembly can repeal any law that a former one had passed.

Marion County was established at the adoption of the constitution and this territory although attached to it since is as much a part of the County as any other part of its territory and to pass this bill would leave an area of less than six hundred square miles.

Your committee would therefore recommend that the bill do not pass.

Respectfully Submitted

X J Pindall
Chairman

On motion of Senator Pindall the report of the committee was adopted.

Senator Williams submitted the following report.

Mr President

The committee on the Judiciary to which was referred Senate bill No 57 regulating mortgages on personal property have had the same under consideration and have instructed me to report the annexed substitute and recommend its passage

Williams of Pulaski
for committee

The substitute was read the first time and on motion of Senator Williams the rules were suspended and the substitute was read the second time and adopted and the bill ordered engrossed.

Senator Wilson submitted the following report

Mr President

The committee on the Judiciary to which was referred Senate bill No. 91 "a bill for the relief

Quachita County and to validate certain proceedings of the county court and the assessment of "property thereof" have considered the same and have made the following amendment thereto to wit: Strike out all of sections 2 and 3 and add instead of section 2. the following. "That the collector of Quachita County shall have until the first Monday after the July term 1877 of the County Court of Quachita County to settle the revenue of said County"

The committee recommend the passage of the bill as amended

Respectfully Submitted

Wilson

for Committee.

The amendment was read the first time and on motion of Senator Norman the rules were suspended and the amendment was read the second time and adopted and the bill ordered engrossed

Senator Duffie submitted the following report.

Mr President

The committee on the Judiciary to which was referred Senate bill No. 108. "An act to be intitled an act to amend an act intitled an act to regulate the labor system" have had the same under consideration and have made the following amendment thereto to wit: after the word "witnesses" in line 11. Section One add the words "who shall sign the same as such" the passage of the bill as amended is recommended

Respectfully Submitted

Duffie

for Committee

The amendment was read the first time and on motion of Senator Duffie the rules were suspended the amendment read the second time and adopted and ordered engrossed

Senator Judkins submitted the following report

Mr President

The committee on the Judiciary to which was referred Senate bill No. 54, an act entitled an act to regulate the practice of medicine and surgery in the State of Arkansas" have given it careful consideration and have made the following amendment thereto to wit:

Amend by striking out in line five section one after the word "established" the words "and well accredited" — in line 7 at the end of the same section strike out the word "for" after the word provided. — in lines 3 & 4 section 2. strike out the words "Clerk of the Circuit and County Court" and insert the word "Recorder" — in line 6, section 2, between the words "book" and "kept" insert the words "to be" — in line five section 3, after the word "some" strike out "respectable" — in line 6, same section strike out the first word "shall" — in line 7, section 5. after the word "been" add "heretofore" — in line 8, section 5, after the word "departments" strike out the following words to wit: "for the period of eight consecutive years" or who have attended one course of lectures, nor" and insert before the word "to" in line 9 of same section the words "this act shall not apply"

The bill as amended is recommended on its passage:

Respectfully Submitted

J. B. Judkins

for committee

The amendment was read the first time and on motion of Senator Judkins the rules were suspended and the amendment was read the second time and adopted and the bill ordered engrossed.

Senator Gipton submitted the following report

Mr President

Your committee on engrossed bills to which was referred Senate bill No. 89. entitled an act to provide for the improvement construction and repair of the several Court Houses and jails in this State" beg leave to report that they have had the same under consideration and find it correctly engrossed

Respectfully submitted
Lipton

Chairman

The President presented petition of Citizens in reference to excessive charges by Railroads

The petition was read by the Secretary and on motion of Senator Williams referred to the Committee on Rail roads and other internal improvements.

S. 113
No. 117 Senator Hampton introduced Senate bill No. 117 entitled "a bill to prevent the sale of alcoholic liquors in the town of Eldorado in the County of Union"

The bill was read the first time and placed on the calendar

S. 113
No. 118. Senator East introduced Senate bill No. 118. Entitled "a bill for an act to be entitled an act to define and change the boundary line between the counties of Clark and Pike"

The bill was read the first time and on motion of Senator East the rules were suspended and the bill was read the second time and referred to the committee on County and County lines

S. 113
No. 119. Senator Blackwell introduced Senate bill No. 119 entitled "a bill to be entitled an act to compensate Perry County for the loss

of her territory in the formation of Faulkner County and to extend the provisions of the 4th section of the act creating said county of Perry"

The introduction of the bill was accompanied by notice as required by law for the introduction of local bills.

The bill was read the first time and on motion of Senator Williams the rules were suspended and the bill was read the second time and referred to the committee on County and County lines.

A message was here received from the Governor by his Secretary Guil Pomeroy, as follows

State of Arkansas
Executive Office
Little Rock Feby 15th 1877

To The President of the Senate.

Mr President

I have this day approved and signed the following Concurrent Resolutions.

Senate Concurrent Resolution No. 3. Congratulating Messrs Lawrence and Dodge U.S. Centennial Commissioners for the State of Arkansas upon the efficient performance of their duties.

Senate Concurrent Resolution No. 6. recommending repeal of the U.S. tax upon leaf tobacco

Senate Concurrent Resolution No. 7 accepting the resignation of M & Lake as a member of the Board of Trustees of Arkansas Industrial University.

W R Miller
Governor

S.B. Senator Wilson introduced Senate bill No. 120.
No. 120. Entitled "A bill for an act to be entitled
an act to regulate the practice as to bills
of exceptions"

The bill was read the first time and
on motion of Senator Wilson the rules were
suspended the bill was read the second
time and referred to the Judiciary com-
mittee

S.B. Senator Bunch introduced Senate bill No. 121.
No. 121. entitled "an act to provide for a general and
uniform system of taxation of Rail Roads
within this State"

The bill was read the first time and on
motion of Senator Bunch the rules were
suspended the bill was read the second
time and referred to the committee on
Rail Roads and other internal improvements

S.B. Senator Pindall introduced Senate bill No. 122.
No. 122. Entitled "a bill to be entitled an act to
promote agriculture"

The bill was read the first time and
placed on the calendar.

A message was received from the House
of Representatives by assistant clerk Holland
as follows

Hall House of Representatives
Febry 15th 1877

Mr President

I am instructed by the House
of Representatives to inform your honorable
body of the passage by the House of House
bill No. 116 entitled "Bill to be entitled
an act for the recovery of purchase money
contracted for property in the possession
of the vendee"

Also of the passage by
the House of House bill No. 83. Entitled

"A bill to be entitled an act to change the boundary line between the counties of Izard and Sharp" and herewith respectfully transmit the same for your favorable consideration

Thomas W Newton
Clerk

S.B. Senator Duffie introduced Senate bill No. 123
No 123 Entitled "A bill to be entitled an act to prevent drunkenness"

The bill was read the first time and on motion of Senator Duffie the rules were suspended and the bill was read the second time and referred to the committee on Education

S.B. Senator Ferguson introduced Senate bill No. 124.
No. 124. Entitled "A bill to be entitled an act to fix the salaries of State Officers and the per diem of members of the General Assembly and the number and salaries of the different departments of the State Government"

The bill was read the first time

Pending the discussion of a motion to reject the bill, (which was subsequently withdrawn) Senator Pindall expressed himself in language that was characterized as unparliamentary by Senator Williams who demanded that the words should be taken down by the Secretary, and it was so ordered.

And the words were recorded by the Secretary as follows to wit:

"If the gentleman will keep his shirt on" Senator Pindall disclaimed intention of disrespect to any member of the Senate.

S.B.R. Senator Jenkins called up Senate Concurrent Resolution No. 16 "referring to the adjustment of the indebtedness of the State" and the resolution was read the second time.

Senator Judkins moved that the resolution be made the special order for tomorrow at 11 o'clock in committee of the whole.

Senator Kerr moved that the resolution be referred to the Finance Committee.

The motion of Senator Judkins having precedence was put by the President and lost and the Senate refused to make the resolution special order for tomorrow.

The question recurring upon the motion of Senator Kerr to refer to the Finance Committee was put by the President and the motion was adopted and the resolution referred to the committee on Finance.

Senator Crowley submitted the following

I move that the Secretary be directed to omit from the record the words ordered taken down as spoken by Senator Findall in debate

"Crowley of Green"

Senator Duffie submitted the following as a substitute for the motion of Senator Crowley.

Resolved — That it is the opinion of this Senate that the language used by the Senator from Desha to the interruption of the Senator from Pulaski was excusable.

"Duffie of Dallas"

Senator Judkins submitted the following as a substitute for the substitute offered by Senator Duffie

Resolved by the Senate that the words used by Senator Findall to Senator Williams to wit: "if the gentleman will keep his shirt on" are not in the opinion of the Senate

objectionable, Senator Purdall having disclaimed any disrespect to any member of the Senate
"Juddins of Lawrence"

Senator Chism moved to indefinitely postpone the further consideration of the subject which motion being put by the President was lost, and the Senate refused to postpone indefinitely.

The question then was on the adoption of the substitute for the substitute.

Which being put by the President was decided in the negative and the Senate refused to adopt the substitute for the substitute.

The question recurring on the adoption of the substitute of Senator Duffie for the motion of Senator Crowley was put by the President and decided in the affirmative and the resolution of Senator Duffie was adopted.

On motion of Senator Hampton The Senate adjourned.

Approved

Attest:

Jacob Golick
Secretary

James K. Jones
President

Senate Chamber Little Rock
Friday February 16th 1877.

The Senate met pursuant to adjournment at 10 o'clock A.M. and was called to order by Hon J. K. Jones President of the Senate

The roll was called by the Secretary and the following Senators answered to their names
Messrs Armstrong Blackwell Burch Campbell Cham
Crowley Duffie Ferguson Hampton Harris Haycock
Johnson Judkins Kerr Norman Pennington Pindall
Reagan Sims Stanford Sullivan Throver Lipton
Tobey Williams Wilson and Mr President = 27

Absent Senators East Hicks House and Mulkey
= 4

A quorum present.

Prayer by the Rev S H Buchanan Chaplain.

The Journal of the preceding day was read approved and signed by the President and Secretary

Senator Lipton asked and obtained indefinite leave of absence for Senator Mulkey

On motion of Senator Kerr the Hon C B Neal was invited to a seat on the floor of the Senate

Senator East answered to his name

Senator Norman submitted the following report from the committee on Elections

Mr President

The committee on Elections to which was referred the contest of W. S. Warwick contestant against Samuel W Williams contestee, beg leave to report that said contestant appeared in person and submitted the following written request

Little Rock Arkansas.

February 14th 1877.

To The Senate Committee on
Privileges and Elections

I desire leave to withdraw the papers on file in the matter of the contest between myself and Samuel W. Williams and to dismiss the said contest. In doing this I do not concede that my competitor was fairly elected for I now believe the contrary. Here I may say that I make no charge against Col Williams as having any hand in the alleged frauds committed in this county.

My reasons for this withdrawal briefly are these. In order to make my case I must prove how the electors voted as well as prove fraud on the part of the election officers. To do this now that the ballots are lost I would have to place on the stand 600 witnesses, this would in all probability consume the remainder of the session and then fail of a conclusion for want of time.

I don't care to impose this labor on the committee or myself for so problematic a result.

I desire to thank the committee personally and through the committee the Senate for the fairness manifested thus far in the matter of this contest

Respectfully

W. J. Warwick
Contestant.

Your committee therefore submit the following Resolution

Resolved. - That How W. J. Warwick contestant be permitted to withdraw all papers submitted by him in relation to said contest and that said contest be dismissed and the committee on Elections be discharged from the further consideration of the same.

Norman

for the committee

On motion of Senator Norman the resolution and the report of the committee were adopted

Senator Kerr moved that two hundred and fifty copies of the report be printed for the use of the Senate

Senator Williams moved to amend the motion of Senator Kerr by including the evidence

The motion to amend being put by the President was lost, and the question recurring upon the motion of Senator Kerr Senator Hampton called for the Ayes and Noes, the call was sustained,

When the roll was called and the motion to print was lost

Ayes = 11

Noes = 16

The following Senators voted in the affirmative Messrs Armistead Bunch Campbell Chism Haycock House Kerr Norman Huntington Reagan & Stanford

In the negative were Messrs Blackwell ^{Croyley} Duffie East Ferguson Hampton Harris Johnson Peidall Sims Sullivan Thrower Lipton Tobey Wilson and Mr President

Excused from voting Senator Williams

Absent Senators Hicks Judkins and Mulkey = 3.

So the Senate refused to order the printing of the report.

Senator Campbell submitted the following report

Mr President

The committee on enrolled bills has examined Senate bill No. 17 and instructed me to report the same correctly enrolled said bill has been signed by the Speaker of the House and President of the Senate and delivered to the Governor for his consideration on the 15th instant

John Campbell. Chairman

Senator Duffie submitted the following report

Mr President

Your committee on State lands to which was referred Senate bill No. 53, entitled "an act to donate the property known as The Arkansas Institute for the Blind" situate in The City of Arkadelphia to The Arkadelphia High School" have considered the same and I am instructed to report it back and recommend that it do not pass.

Respectfully Submitted

Duffie

Chairman

On motion of Senator Johnson the report of the committee was adopted

Senator Bunch submitted the following report

Mr President

Your committee on Rail Roads and other internal improvements have had under consideration Senate bill No. 121 entitled "an act to provide a general and uniform system of taxation of Railroads within this State" and have instructed me to report the same back to The Senate and recommend its passage.

Bunch

Chairman.

Senator Norman submitted the following report

Mr President

The committee on Education to which Senate bill No. 109 "an act to preserve the evidence of publication of proclamations and legal notices" was referred have had the same under consideration and have directed me to report the same back to The Senate with a recommendation that it do pass.

Norman

for Committee.

Senator Williams submitted the following report

Mr President

The committee on Education to which was referred Senate bill No. 112. entitled "an act to amend an act amendatory to an act relative to the management of the Arkansas Industrial University" have considered the same and instruct me to report it to the Senate and recommend that it do not pass.

Williams of Pulaski
for the Committee

On motion of Senator Williams the report of the committee was adopted

Senator Bunch submitted the following report

Mr President

Your committee on Rail Road and other internal improvements have had under consideration Senate bill No. 2. entitled "an act authorizing the change or abandonment of location by rail road corporations" and recommend the following amendments thereto viz: Insert after the word "therein" in 11th line of section one the words "not exceeding twenty miles laterally" also by adding the following proviso to the first section of the bill "Provided further that nothing in this act contained shall be construed to impair the liability, if any, of any corporation to any individual by reason of such change or changes, or to take away the rights if any, which any person may have in the premises at the time of such change or changes of location" and as thus amended recommend its passage

Bunch
Chairman

The amendment was read the first time and on motion of Senator Bunch the rules were suspended and the amendment was read the second time and adopted and the bill was ordered engrossed

Senator Findall moved that two hundred and fifty copies of Senate bill No. 2. be printed for the use of the Senate.

The motion being put by the President was lost, and the Senate refused to order the bill printed.

A message was received from the House of Representatives by assistant Clerk Holland as follows

Hall House of Representatives
Febry 16th 1877.

Mr President

I am instructed by the House of Representatives to inform your honorable body of the passage by the House of House bill No. 121. entitled "an act to change the time of holding the Probate Court of Dorsey County"

Also of the passage of House bill No. 128. entitled "a bill to be entitled an act creating two judicial districts in the County of Conway"

Also of the adoption of House Concurrent Resolution No. 6. providing for printing 2000 copies of Governor Millers special message in sheet form for distribution by the members of the General Assembly

All of which are herewith respectfully transmitted

Thomas W Newton.
Clerk

Senator House submitted the following report.

Mr President,

Your committee on education to which was referred Senate bill No. 6. "an act to maintain a system of free common schools in the State of Arkansas have had the same under consideration and I am instructed by a majority of your committee to report the same back with a recommendation that it do not pass.

Respectfully Submitted.
W. H. House, Chairman.

Senator Norman submitted the following minority report from the committee on Education

Mr President

The undersigned a minority of the committee on Education not being able to agree with the majority of the committee in their report of Senate bill No. 6, a bill for an act to maintain a system of free common schools in this State beg leave to submit the following reasons for said dissent.

1st The present system has been substantially in operation for eight years and its inefficiency has been so apparent, that it has begot and is continually begetting a hostility to any system of free schools

2nd The present system is an offshoot from New England, where a dense population and accumulated capital have made it efficient and productive of good results, But it cannot have escaped its fondest admirers that it has utterly failed in Arkansas - our sparse population, its expensive machinery, its want of contact with the people conspiring to take all vigor and life out of it.

3^d The system proposed to be inaugurated by the bill under consideration would remedy many of these defects, it would interest the people of the several counties directly in the subject of education. The mere fact that they would be called upon to elect one of their neighbors, who would be charged with the educational interests of their communities, would alone infuse a life into the question, that it has not heretofore possessed.

It would bring the matter home to the hearts and hearth stones of the humblest citizens.

It would hold the County Superintendants bound by ties, and stimulated by motives few fail to regard. - It would beget a generous rivalry throughout the whole State - which County should be best organized, which County should excel in developing the best working system

which county should have the best teachers and the best scholars. It would soon permeate the whole state and reanimate a now dead lifeless corpse, which is becoming a general offense

4th The system proposed by this bill rests on the broad democratic-republican idea that local interests should be in the hands of local agencies. This principle underlies all good and just government. What is true of big things is equally true of small ones.

Localize any interest and you instantly vitalize it. It is a well accredited fact, sustained by the history of all people, that they more cheerfully bear greater burdens to sustain a local system or government, than even slight impositions and taxes to foster a scheme in which their personal agency is ignored or remote—

5th The system proposed by this bill divests our school government of a large and unwieldy machinery, which has in the past and will in the future sap its life-blood and dissipate all its energies. This bill will actually cheapen its workings and is demanded by economy as well as other potent considerations.

A minority of your committee is therefore confident that if this feature of County Superintendency is impressed upon our present school system (however the details of the bill may be worked up) it will inaugurate a change so great, that our schools now languishing and dying everywhere will put on new life and bring the blessings of education to the doors of all our people.

The passage of the bill is recommended.

Norman
of Ashley.

On motion of Senator Hampton the minority report was adopted.

Senator Duffie was called to the chair.

Senator Thrower submitted the following report.

Mr President

Your committee on Finance to whom was referred Senate bill No. 32 "a bill for an act to be entitled an act for the relief of J. I. Griffin & Sons have had the same under consideration and direct me to return the same recommending its passage with the following amendment. add after the word "payable" in 4th line 2nd section the words "in equal installments on the first day of July 1877 and the first day of January 1878 to J. I. Griffin & Sons

Thrower
Chairman

The amendment was read the first time.

Senator Norman submitted the following

Whereas, it is reported that corrupt means have been used or attempted to be used to secure the passage of Senate bill No 32 "An act to pay claim of J. I. Griffin & Sons —
and Whereas the Senate is unwilling that any such imputation and rumor should go uncontradicted or uninvestigated.

Therefore, Resolved that said bill be re committed to said committee on claims with instructions to inquire into said charges and said committee is further directed and empowered to send for persons and papers to enable them to investigate the same and report the facts to the Senate

Norman
of Ashland

On motion the resolution was adopted.

Senator East submitted the following report

Mr President.

Your committee on Education to whom was referred Senate bill No. 51

Entitled "An act to render our common school system more perfect" have had the same under consideration and I am instructed to report the same back to the Senate with the recommendation that it do not pass.

C. H. East
for Committee.

On motion of Senator East the report was adopted.

Senator Kerr submitted the following report

Mr President

Your committee on the Penitentiary to which was referred Senate bill No. 77 Entitled "An act to require the State to pay the expenses incurred in holding inquests on the dead bodies of convicts" and have directed me to report the same with the recommendation that it do pass.

Respectfully Submitted

R. I. Kerr

Chairman

The President resumed the chair.

Senator Johnson submitted the following report

Mr President

Your committee on engrossed bills beg leave to report that they have had Senate bill No. 85 under consideration and they find the same properly engrossed

Johnson

for Committee

Also the following

Mr President

Your committee on engrossed bills beg leave to report that they have had the same under consideration and they find the same properly engrossed

Johnson for Com.

Also the following

Mr President

Your committee on engrossed bills beg leave to say that they have under consideration Senate bill No. 103 and they find the same properly engrossed

Johnson

for Committee.

Senator Lipton submitted the following report

Mr President

Your committee on Education to which was referred Senate bill No. 20 Entitled "an act to regulate the collection of County and school district taxes" have had the same under consideration and I am instructed to report the bill back with the recommendation that it pass.

Respectfully Submitted

Lipton

for Committee.

Senator Kerr submitted the following report

Mr President

The committee on Finance have had under consideration Senate bill No. 4 Entitled "An act to amend an act entitled an act to amend the revenue laws of the State approved November 17th 1875" and recommend the following amendments to wit: strike out the word "six" in line 15 section one and insert "seven" and change the figures 1876 to 1877. also amend further by striking out all of sections two three and four. and your committee further recommend that the bill do not pass.

Respectfully submitted

R. V. Kerr.

for Committee

On motion of Senator Norman the report and bill were laid on the table.

S B Senator Pindall introduced Senate bill No. 125
No. 125. Entitled "a bill for an act to regulate the
term of office of certain officers of this State"

The bill was read the first time and
placed on the calendar.

S B Senator Duffie introduced Senate bill No. 126
No. 126. Entitled "An act to declare Railroad Compa-
nies liable for damages to employees of
the companies resulting from the negligence
of their fellow servants or co employees"

The bill was read the first time and
placed on the calendar

S B Senator Throver introduced Senate bill
No. 127. No. 127. Entitled "an act to amend the
act providing for the approval of official
bonds of township and County Officers
approved March 1st 1875."

The bill was read the first time
and placed on the calendar.

S B Senator Haycock introduced Senate bill
No. 128. No. 128 Entitled "A bill for an act
Entitled an act to fill the vacancy
now existing in the board of Rail Road
Commissioners of this State"

The bill was read the first time and
on motion of Senator Williams. The
rules were suspended and the bill
was read the second time and on
motion of Senator Haycock referred to
the committee on Rail Roads and other
internal improvements.

S. B. Senator Johnson introduced Senate bill
No. 129. No. 129. Entitled "a bill for an act to
authorize the Commissioner of State lands
to sell the property known as The
Arkansas Institute for the blind in
Arkadelphia Clark County Arkansas"

The bill was read the first time and placed on the calendar

S.B. Senator Lobe introduced Senate bill No. 130. No. 130. Entitled "a bill to be entitled an act to change the lines separating the two Judicial Districts of Yell County" with notice as required by law for the introduction of local bills.

The bill was read the first time and on motion of Senator Lobe the rules were suspended and the bill was read the second time and referred to the Committee on County and County lines

On motion of Senator Burch Senators Blackwell and Stanford were added to the Committee on County and County lines

S.B. Senator Crowley introduced Senate bill No. 131. No. 131. Entitled "an act to be entitled an act to amend an act entitled an act to provide for the appointment of Notaries public in this State."

The bill was read the first time and placed on the calendar

S.B. Senator Pindall called up substitute for No. 50. Senate bill No. 50. Entitled "an act to change the 1st, 5th, 6th, 7th, 10th and 11th Judicial Circuits and fixing the time for holding the Courts therein"

The substitute was read the second time

Senator Pindall moved to adopt the substitute

On motion of Senator Kerr the substitute and bill were made the special order for tomorrow at 11 O'clock A.M.

Senator Throver submitted the following report

Mr President

Your committee on Finance

to whom was referred Senate bill No. 75 -
 an act to make valid jurors and
 witnesses certificates" have had the same
 under consideration and instruct me to
 recommend its passage with the following
 amendment in section one lines 2 and 3
 strike out the words "and witnesses"

Thrower

Chairman

The amendment was read the first time
 and on motion of Senator Bunch the
 rules were suspended the amendment was
 read the second time and adopted

On motion of Senator Bunch the vote
 adopting the amendment was reconsidered

Senator Thrower moved to adopt the
 amendment

On motion of Senator Norman the
 bill and report were referred to the
 Judiciary Committee with instructions to
 enquire as to the constitutionality of the
 bill

S. B. Leave being granted Senator Jenkins
 No. 132. introduced Senate bill No. 132. Entitled
 "An act to enable County Courts to
 vacate or modify certain judgements"

The bill was read the first time

Senator Jenkins moved to suspend the
 rules and have the bill read the second
 time.

The motion was put and lost,
 and the Senate refused to suspend the
 rules

Senator Hampton submitted the following

Whereas the large amount of unfinished
 business which has accumulated on
 the calendar of the Senate demands
 that some rule be adopted which will
 enable the Senate to arrive at some

disposition of the unfinished business. Therefore

Resolved.— That no Senator shall be allowed to speak more than once on any one question nor longer than five minutes

On motion of Senator East the resolution was laid on the table

On motion of Senator Throver the Senate adjourned.

Approved

Attest:

Jacob Frolich
Secretary

James K. Jones
President.

Senate Chamber Little Rock
Saturday February 17th 1877

The Senate met pursuant to adjournment at 10 o'clock A.M. Hon James K Jones presiding

The roll was called and the following Senators answered to their names.

Messrs Blackwell Bunch Campbell Chism
Crowley Duffie East Ferguson Hamplord
Harris Haycock House Judkins Norman
Pennington Pindall Reagan Sims Sullivan
Thrower Tipton Williams Wilson and
Mr President = 24

Absent Senators Armistead Hicks Johnson
Kerr Mulkey Stanford and Tobey = 7

A quorum present

Prayer by the Rev S H. Buchanan Chaplain

The Journal of the preceding day was read approved and signed by the President and Secretary

Senator Pennington asked and obtained leave of absence for Senator Tobey until Tuesday next

Senators Armistead Kerr and Stanford answered to their names

On motion of Senator Campbell Jas H. Love, Door Keeper was excused for the day on account of illness.

Senator Pennington submitted the following report

Mr President

Your committee on engrossed bills to which was referred Senate bill No. 2 also Senate Substitute bill No 57 having examined and compared the same and find them correctly engrossed and herewith respectfully return the same

Respectfully submitted
A. A. Gunnington
for Committee

On motion of Senator Gindall the regular order of business was suspended for the purpose of taking up bills from the House of Representatives.

H. C. R. House Concurrent Resolution No. 6, "providing for printing No. 6. 2000 additional copies of Governor Miller's special message in sheet form for distribution by the members of the General Assembly" was taken up and read by the Secretary.

Senator Williams moved that the Senate do concur with the House of Representatives

Senator Thrower moved that the Resolution be laid on the table which motion being put by the President was lost:

The question occurring upon the motion of Senator Williams to concur was put by the President and adopted

So the resolution was adopted and the Senate concurred with the House of Representatives

S. B. Senate bill No 41. Entitled "an act to provide No. 41. for the election of a Physician to the Penitentiary" was taken up and the amendment made by the House of Representatives was read the first time and on motion of Senator Kerr the rules were suspended and the amendment was read the second time and on motion of Senator Campbell referred to the committee on the Penitentiary.

Senator Tipton submitted the following report

Mr President

Your committee on engrossed bills to which was referred Senate bill No. 91, Entitled "an act for the relief of Quacketer County and to validate certain proceedings of the

County Court and the assessment of property thereof" have had the same under consideration and report back the original bill and recommend that the word "Containing" in the preamble should be amended so as to read "Continuing"

"Signed"

Tipton

The amendment was read the first time and on motion of Senator Throver the rules were suspended and the amendment was read the second time and adopted and the bill was ordered engrossed.

H. B. No. 65. House bill No. 65. Entitled "an act to pay the costs of inquisitions on convicts in the Penitentiary" was taken up and read the first time and on motion of Senator Hampton the rules were suspended and the bill was read the second time and on motion of Senator Williams referred to the committee on Expenditures

H. B. No. 82. House bill No. 82. Entitled "an act to amend sections 2635. 2636. 2637. and 2642 of Gauley Digest" was taken up and read the first time and on motion of Senator Duffie the rules were suspended and the bill was read the second time and referred to the Judiciary committee.

H. B. No. 35. House bill No. 35 Entitled. "an act to amend section 70. of an act entitled an act fixing the regular terms for holding the County Courts of the State and fixing the salaries of the County Judges of the several Counties in this State approved Feby 5th 1875." was taken up and read the first time and on motion of Senator Pindall the rules were suspended and the bill was read the second time and referred to the committee on County and County lines.

A message was here received from the Governor by his Secretary Gen Pomeroy as follows.

State of Arkansas
Executive Office
Little Rock Feby 17th 1877

To the President of the Senate.

Mr President

I have approved and signed Senate bill No. 17. An act to amend Section 1699. of Gaults Digest.

W. R. Miller,
Governor.

H. B. House bill No. 81. Entitled "a bill to be entitled No. 81, an act to legalize defective acknowledgements" was taken up and read the first time and on motion of Senator Williams the rules were suspended and the bill was read the second time and referred to the Judiciary committee.

H. B. House bill No. 40. Entitled "an act to amend No. 40 section 4644. of Gaults Digest" was taken up and read the first time and on motion of Senator Ziplow the rules were suspended and the bill was read the second time and referred to the Judiciary committee.

H. B. House bill No. 43. Entitled "a bill to be entitled No. 43 an act to amend the Revenue laws of the State of Arkansas." was taken up and read the second time and on motion of Senator Williams the rules were suspended and the bill was read the second time and referred to the committee on Finance.

H. B. House bill No. 59. Entitled "An act to legalize and No. 59, make valid certain proceedings in Justice Court in Pulaski County Arkansas." was taken up and read the first time and on motion of Senator Williams the rules were suspended and the bill was read the second time and referred to the Judiciary committee.

H. B. No. 30. House bill No. 30. Entitled. "For an act to provide for the compensation of appraisers of real estate Bank lands in certain cases". was taken up and read the first time and on motion of Senator Harris the rules were suspended and the bill was read the second time and on motion of Senator Williams laid on the table subject to call

H. B. No 54. House bill No. 54. Entitled "An act to be entitled an act to amend the attachment laws of the State of Arkansas" was taken up and read the first time.

A message was here received from The House of Representatives by assistant Clerk Holland as follows

Hall House of Representatives
Febry 17th 1877.

Mr President

I am instructed by The House of Representatives to inform your honorable body of the passage by the House of House Joint Memorial No. 6. to The Congreg of the United States praying the establishing a mail route from Cave Creek Newton County to Russellville Pope County"

Also of the passage of House bill No. 177. Entitled "An act to change the time of holding the Courts in the sixth Judicial Circuit"

Also of The passage of Senate bill No. 1. Entitled "an act to be entitled an act to legalize the levying of taxes in The incorporated town of Searcy for the year 1876" all of which are herewith respectfully transmitted

Thomas W Newton,
Clerk.

The President at 11. O'clock A.M. announced the special order for the hour. The consideration of substitute for Senate bill No. 30.

On motion of Senator House The special order was postponed until House bill No. 54 should

be read the second time and referred

and on motion of Senator House the rules were suspended and House bill no. 524 was read the second time and referred to the Judiciary Committee

S.S.B.
No. 50 On motion of Senator East the special order for 11 o'clock this day was postponed until Monday next and made the special order for 11 o'clock on that day

H.B.
No. 55 House bill No. 55 Entitled "an act to amend sections 443, 444, 445, 446 and 447 of Smiths Digest" was taken up and read the first time and on motion of Senator Ferguson the rules were suspended and the bill was read the second time and referred to the Judiciary Committee.

H.B.
No. 128 House bill No. 128, Entitled "a bill to be entitled an act creating two Judicial Districts in the County of Conway" was taken up and read the first time and placed on the calendar.

Senator Lipton submitted the following report

Mr President

Your committee on engrossed bills to which was referred Senate bill No. 91, Entitled an act for the relief of Ouachita County and to validate certain proceedings of the County Court and assessment of property thereof have had the same under consideration and find it correctly engrossed

Respectfully Submitted
Lipton

Chairman,

H.B.
No. 114 House bill No. 114 Entitled "an act to be entitled an act to suppress the gaming device known as Keno &c" was called up by Senator Hampton and read the first time and the rules being suspended the bill was read the second and referred to the committee on memorials

H.B.
No. 158

~~House~~ H.B.
an act 158,
the Co
~~read~~

House bill No 158 entitled "an act
to amend an act entitled an act
to amend Section 4410 of Hawth's Digest"
was taken up and read the first
time

Senator Harris moved to suspend the rules
and have the bill read the second time

The motion was put and lost and the
Senate refused to suspend the rules

H.B.
No 116

House bill No. 116, Entitled "A bill to be
entitled an act for the recovery of purchase
money contracted for property in possession of
the vendee" was taken up and read the
first time and placed on the calendar

On motion of Senator Hampton the vote by
which House bill No. 114, was referred to
the Committee on Memorials was reconsidered
and the bill was referred to the committee
on the Judiciary

H.B.
No. 83

House bill No. 83 Entitled "A bill to be
entitled an act to change the boundary
line between the Counties of Izard and
Sharp" was taken up and read the first
time and on motion of Senator Pipton the
rules were suspended and the bill was
read the second time and referred to the
committee on County and County lines

H.B.
No. 121.

House bill No. 121, Entitled "An act to change
the time of holding the Probate Court of Dorsey
County" was taken up and read the first
time and on motion of Senator Duffie the
rules were suspended and the bill was
read the second time and referred to
the Judiciary committee

H.B. No. 113. House bill No 113 entitled "a bill to be entitled an act providing the manner and before whom minors, females covert, persons of unsound mind and persons in confinement, shall redeem lands sold to the State for non payment of Taxes and for other purposes" was taken up and read the first time and on motion of Senator Wilson the rules were suspended and the bill was read the second time and referred to the Judiciary committee

H.B. No. 18. House bill No. 18. Entitled "a bill to be entitled an act to amend Section 1936 Chapter 48 of Haults Digest to establish uniformity of argument of counsel in criminal and civil cases" was taken up and read the first time and on motion of Senator Wilson the rules were suspended the bill was read the second time and referred to the Judiciary committee.

H.B. No. 94. House bill No. 94 Entitled "a bill to be entitled an act to declare the marriage of William J. S. Knott and Martha Jackson legal and valid also declaring the marriage between Cicero Sevissy and Fanny Maxwell legal and valid" was taken up and read the first time

Senator Reagan moved that the rules be suspended and that the bill be read the second time

The motion was put and lost and the Senate refused to suspend the rules

H.B. No. 78. House bill No. 78. Entitled "An act to be entitled an act to provide for constructive service in cases of attachment before Justices of the peace" was taken up and read the first time and placed on the calendar

S-J-R
No 13

Senator Hampton submitted Senate Joint Resolution No. 13 referring to State finances

The Resolution was read the first time and on motion of Senator Judkins the rules were suspended and the resolution was read the second time and on motion of Senator Throver referred to the committee on Finance

On motion of Senator Williams Genl D H Reynolds was invited to a seat on the floor of the Senate

Senator Bunch submitted the following report.

Mr President

Your committee on County and County fines to which was referred Senate bill No. 119. Entitled an act to compensate Perry County for the loss of her territory in the formation of Faulkner County and to extend the provisions of the 4th section of the act creating said county to the County of Perry" and have instructed me to report the same back to the Senate and recommend its passage

Bunch

One of the Committee.

Senator Blackwell moved that the rules be suspended and that Senate bill No. 119 be taken up and read the third time.

The motion was put and lost and the Senate refused to suspend the rules

Senator East moved to suspend the rules for introduction of Joint Resolution

The motion was put and lost and the Senate refused to suspend the rules

All the bills on the calendar from the House of Representatives having been disposed of the Senate resumed the regular order of business when

S.B. Senator Thrower introduced Senate bill No 133
No. 133. Entitled "An act to amend sections 12, 17 and 49 of an act entitled an act to be entitled an act for the incorporation organization and government of municipal corporations"

The bill was read the first time and placed on the calendar

S.B. Senator Pindall introduced Senate bill No 134
No. 134. Entitled "An act to prescribe the form of County warrants"

The bill was read the first time and placed on the calendar.

S.B. Senator East submitted Senate joint Resolution
No. 14. In reference to settlement of the state indebtedness

The resolution was read the first time and on motion of Senator East the rules were suspended and the resolution was read the second time.

On motion of Senator East 250 copies of the resolution were ordered printed for the use of the Senate and the resolution was referred to the Finance Committee.

S.B. Senator Duffie introduced Senate bill No. 135
No. 135. Entitled "An act providing before whom affidavits may be made by applicants for donation of land"

The bill was read the first time and on motion of Senator Duffie the rules were suspended and the bill was read the second time and referred to the committee on State lands

S.J.R. Senator Wilson submitted Senate Joint Resolution No. 15. No. 15. "In reference to the indebtedness of the State"

The resolution was read the first time and on motion of Senator Wilson the rules were suspended and the resolution was read the second time and referred to the committee on Finance

S.B. Senator Judkins introduced Senate bill No. 136. No. 136 Entitled "An act to amend section 4129 of the revised statutes of the State of Arkansas"

The bill was read the first time and on motion of Senator Judkins the rules were suspended and the bill was read the second time and referred to the Judiciary Committee.

On motion of Senator Pindall the rules were suspended for the purpose of taking up Senate bills No's 91. and 119.

S.B. When Senate bill no. 91 Entitled "a bill No 91 for the relief of Ouachita County and to validate certain proceedings of the County Court and the assessment of property thereof" was taken up and being read the third time the question was Shall the bill pass?

Which was decided in the affirmative.

Ayes = 21 Noes = none

The following Senators voted in the affirmative

Messrs Armistead Blackwell Bunch Campbell Chism Ferguson Haycock House Johnson Judkins Norman Pennington Reagan Sims Stanford Sullivan Throver Lipton Williams Wilson and Mr President

In the negative none

Excused from voting Senator Duffie

Absent Senators Crowley East Hampton Harris
Hicks Kerr Mulkey Pindall and Lobe = 9

So the bill passed.

The title of the bill was read and adopted

S.B. Senate bill No. 119. Entitled "A bill to be entitled
No. 119. an act to compensate Perry County for the loss
of her territory in the formation of Faulkner
County and to extend the provisions of the 4th
section of the act creating said county of
Perry" was taken up and being read the
third time the question was.

Shall the bill pass?

which was decided in the affirmative

Ayes = 21 Noes = none

The following Senators voted in the affirmative

Messrs Armistead Blackwell Burch Campbell
Duffie Ferguson Haycock House Johnson
Judkins Kerr Norman Pennington Reagan Sims
Stanford Sullivan Lipton Williams Wilson
and Mr President

In the negative none

Absent Senators Chism Crowley East
Hampton Harris Hicks Mulkey Pindall Thrower
and Lobe = 10.

So the bill passed.

The title of the bill was read and adopted.

Senator Judkins asked and obtained leave of
absence for Senator Crowley until Thursday
next

S.B. Senate bill No. 105-Entitled "an act for the relief of Joseph Bossart" was taken up and read by title.

Senator Wilson moved to amend by striking out the word "twenty" where it occurs in the preamble and title and inserting in lieu thereof the word "seventy".

The amendment was read the first time and on motion of Senator Wilson the rules were suspended and the amendment was read the second time and adopted.

Senator Duffie submitted the following.

Resolved. That rule 50 for the government of the Senate be amended so as to read as follows

When the Senate adjourns it shall be to 9 1/2 o'clock A.M. of the next succeeding day unless another day and hour be specifically named.

Senator Armistead moved to amend the resolution by striking out the words "and a half" after the word "nine".

The motion being put by the President was lost.

The question recurring on the adoption of the resolution it was decided in the negative and the Senate refused to amend the rule.

On motion of Senator Reagan the Senate adjourned.
Approved.

Attest

Jacob F. Smith
Secretary

James R. Jones
President.

Senate Chamber Little Rock
Monday February 19th 1877.

The Senate met pursuant to adjournment at 10 o'clock A.M. and was called to order by Hon J K Jones President of the Senate.

The roll was called by the Secretary and the following Senators answered to their names.

Messrs Armistead Blackwell Bunch Campbell
Chism Duffie East Ferguson Hampton Harris
Haycock Hicks House Johnson Jenkins Norman
Pindall Reagan Sims Stanford Sullivan Tipton
Williams Wilson and Mr President = 25

Absent Senators Crowley Kerr Mulkey Pennington
Thrower and Tobey = 6

A quorum present

Prayer by Rev. J H Buchanan Chaplain

On motion of Senator Pindall Senator Thrower was excused for the day on account of illness.

Senator Williams asked and obtained indefinite leave of absence for Senator Pennington on account of illness.

On motion of Senator Campbell Jas H. Love, Door Keeper of the Senate was excused on account of illness.

The Journal for Saturday February 17th was read approved and signed by the President and Secretary.

On motion of Senator Bunch the regular order of business was suspended for the purpose of taking up bills upon the third reading.

Senator Campbell submitted the following report

Mr President

The committee on enrolled bills have examined Senate bill No. 1. and instructed me to report the same correctly enrolled, said bill has been signed by the Speaker of the House and the President of the Senate and delivered to the Governor for his consideration This 19th day of February. 1877

John Campbell
Chairman.

S.B.
No. 121.

Senate bill No. 121 Entitled "An act to provide for a general and uniform system of taxation of Rail roads within this State" was taken up and being read the third time the question was

Shall the bill pass? which was decided in the affirmative

Ayes = 16 Noes = 8.

The following Senators voted in the affirmative

Messrs Bunch Campbell Chism Duffie Ferguson Hampton Haycock Johnson Norman Stanford Sullivan Thrower Tipton Williams Wilson and Mr President.

Those voting in the negative were Messrs Armistead Harris Hicks House Jenkins Pindall Reagan & Sims.

Excused from voting Senators Blackwell and Kerr

Absent Senators Browley East Mulkey Pennington, and Lobeys = 5

So the bill passed

The title of the bill was read and adopted

On motion of Senator Haycock The Secretary was instructed to report the bill to the House

of Representatives on this day.

~~Leave being granted Senator Sims submitted
Senate resolution~~

~~The resolution was read by the Secretary
and on motion of Senator Sims laid on
the table subject to call~~

S. B. Senate bill No. 2. Entitled "a bill to be
No. 2. entitled an act authorizing the change or
abandonment of location by Rail Road cor-
porations" was taken up and being read
the third time the question was

Shall the bill pass?

Which was decided in the affirmative.

Ayes = 23 Noes = 4.

The following Senators voted in the affir-
mative.

Messrs. Armistead Blackwell Bunch
Campbell Duffie East Ferguson Hampton
Harris Haycock Hicks House Johnson Judkins
Norman Reagan Sims Stanford Sullivan
Thrower Williams Wilson and Mr President

Those voting in the negative were Messrs
Chism Kerr Gurdall and Lipton

Absent Senators Browley Mulkey Pennington
and Tobey.

So the bill passed

The title of the bill was read and adopted.

Senator Chism moved to reconsider the vote
by which Senate bill No. 121. was passed

Pending discussion of The motion to reconsider the President at 11 o'clock A.M. announced the special order for the hour the consideration of substitute for Senate bill No. 30.

On motion of Senator Norman the special order was postponed until the motion to reconsider should be disposed of.

Senator Throver moved that the motion to reconsider be laid upon the table and on this motion Senator Hicks called for the Ayes and Noes. The call was sustained when the roll was called and the motion prevailed

Ayes = 15 Noes = 11

The following Senators voted in the affirmative. Messrs. Bunch Duffie ^{East.} Ferguson Hampton Haycock Norman Reagan Sims Stanford Sullivan Throver Williams Wilson and Mr President

Those voting in the negative were Messrs Armistead Blackwell Campbell Chism Harris Hicks House Jenkins Kerr Gindall and Lipton

Absent Senators Crowley Johnson Mulkey Pennington and Tobey = 5.

So the motion to reconsider was laid on the table.

S B Leave being granted Senate bill No. 89. No 89 Entitled "A bill for an act to provide for the improvement construction and repair of the several Court Houses and jails in this State." was taken up and being read the third time the question was

Shall the bill pass.

Which was decided in the affirmative

Ayes = 18 Noes = 7

The following Senators voted in the affirmative
Messrs Armistead Bunch Campbell Duffie East
Ferguson Hampton Harris Haycock Hicks House
Kerr Norman Pindall Reagan Sims Stanford
and Wilson

Those voting in the negative were Messrs
Blackwell Chism Judkins Sullivan Lepton
Williams and Mr President

Absent Senators Crowley Johnson Mulkey
Pennington Lobe and Throver = 6

So the bill passed

The title of the bill was read and adopted.

S.S.S.B
No. 50 The Special order being, Substitute for
Substitute for Senate bill No. 50 Entitled
"an act to change the first, fifth, sixth,
seventh, tenth and eleventh judicial
circuits and fixing the time for holding
the courts therein" it was taken up and
read the second time

Senator Ferguson moved that the substitute
be referred to a select committee to be
composed of one member from each judicial
district in the state.

Senator Armistead called for the Ayes and
Noes, the call was sustained. when the
roll was called and the motion lost

Ayes = 9 Noes = 16

The following Senators voted in the affirma-
tive Messrs Blackwell East Ferguson
Hampton Harris Hicks Pindall Reagan
and Mr President

Those voting in the negative were Messrs
Armistead Bunch Campbell Chism Duffie
Haycock House Johnson Judkins Kerr
Norman Sims Sullivan Lepton Williams
and Wilson

Absent Senators Crowley Mulkey Tunington
Stanford Throover and Lobey = 6

So the Senate refused to commit the substitute.

A message was here received from the Governor by his Secretary Genl Torneroy as follows

State of Arkansas
Executive Office
Little Rock Feby 19th 1877

To the President of the Senate
Mr President

I have received from Hon N. B. Pearce of the Fish Commission of the State a report for the years 1875 and 1876. The Joint Resolution of the Senate and House of Representatives, approved November 29th 1875 providing for the appointment of the commission, prescribes a report to be made by the commissioners to the General Assembly at its present session. The paper having been forwarded to the Executive I take occasion to transmit the same to the General Assembly through the Senate.
W R Miller,
Governor.

A message was received from the House of Representatives by Chief Clerk Newton as follows

Hall House of Representatives
Feby 19th 1877.

Mr President

I am instructed by the House of Representatives to inform your honorable body of the passage by the House of House bill No. 62 entitled "a bill entitled an act to amend section 4515 of Hunt's Digest"

Also of the passage of House bill No. 72 entitled an act to provide for improving the streets and alleys and public grounds of cities of the second class in this state.

Also of the passage of House bill No. 179 entitled "an act to reduce the amount allowed for printing blank statements."

All of which are herewith respectfully transmitted

Thomas W. Newton
Clerk.

S. S. B.
No. 50

Senator Furdall moved that the ^{substitute for the} substitute for Senate bill No. 50. be adopted and on this motion Senator Haycock called for the Ayes and Noes, the call was sustained, the roll was called and the motion to adopt was lost

Ayes = 10 Noes = 14

Senators voting in the affirmative were Messrs. Bunch Ferguson Hampton Hicks House Furdall Reagan Sims Sullivan and Mr President

Those voting in the negative were Messrs. Armstrong Blackwell Campbell Chism Duffie Harris Haycock Johnson Judkins Kerr Norman Thrower Williams and Wilson

Excused from voting Senator Lepton

Absent Senators Crowley East Mulkey Fumington Stanford and Tobey = 6

So the Senate refused to adopt the substitute

Senator Kerr moved that the substitute for Senate bill No. 50 be read the third time and placed upon its passage.

On motion of Senator Thrower the further consideration of the substitute was postponed till tomorrow at 11 o'clock

Senator Sims submitted the following

Resolved. Whereas the people of Arkansas have endorsed the administration of Gov. Garland and the proof thereof is made manifest by his election to the United States Senate by an almost unanimous vote of the present legislature of the State, and no stronger manifestation could be given on a fair and liberal construction of said event and that his administration was fully endorsed and a success under all the circumstances that attended his Executive term of office was satisfactory to and met the approval of the people.

And whereas the present Governor of the State His Excellency William R. Miller attained his success in a great measure from his devotion to democratic principles and his faithful discharge of duties to him entrusted for a long period of time by the people of Arkansas.

As a State officer his integrity is above suspicion, and his known ability and being fully conversant with the history and wants of the State were the facts that caused the people of the State to endorse him so fully and enthusiastically at the polls.

And whereas the policy that he has recommended to the Legislature in his message to that body under date of the 13th of February 1877 indicates no important departure from the policy pursued by his predecessor, and looking with care and caution to avoid a greater complication by a sudden or reckless change of policy in doubtful experiments.

And whereas frequent and repeated changes in the organic law in representative forms of Government renders the masses of the people restless and disquieted.

We should move efficiently calmly and circumspectly in these days of uncertain and political disquietude.

To annunciate repudiation of any of our public debt

or to declare our ability to pay any of it except interest on a part in the near future would be deceptive, and only throwing a tubb to the whale, mislead the people of the State and disappoint our creditors, and destroy the quiet industry that is prevalent in our State in all departments and shut the door of immigration that is giving thrift and life in our midsts.

Therefore. Resolved. That it is the sense of the Senate that the recommendations of Governor Harland in his biennial message, of the board of Finance, and of Governor Miller in his special message delivered on the 13th of February be carried out by the General Assembly

On motion of Sen. Sims ^{"Signed"} Sims
the resolution was laid on the Table subject to call of Independence

S.B. Senator Wilson called up Senate bill No 48. No. 48. Entitled "An act for paying balance due for erecting the Arkansas Industrial University building"

The bill was read the third time and on motion of Senator Thrower laid on the Table subject to call

S.B. Senate bill No. 73. Entitled "An act to amend No. 73. Section 1046 of Hunt's Digest" was taken up and being read the third time the question was

Shall the bill pass? which was decided in the affirmative

Ayes = 24 Noes = 3

The following Senators voted in the affirmative Messrs. Armistead Blackwell Burch Campbell Chism Duffie Ferguson House Johnson Jenkins Kerr Norman Pindall Reagan Sims Stanford Sullivan - Thrower Williams Wilson and Mr. President,

Those voting in the negative were messrs.
Hampton Hicks and Tipton

Absent Messrs Crowley East Harris Haycock
Mulkey Pennington and Lobey = 7

So the bill passed

The title of the bill was read and adopted.

At 12 1/2 o'clock on motion of Senator Tipton
the Senate took a recess till 2 1/2 o'clock P.M.

After Recess

The hour of 2 1/2 o'clock having arrived the
Senate was called to order by the President

Upon call of the roll the following Senators
were found to be present

Messrs Armstrong
Blackwell Bunch Campbell Chism Duffie
East Ferguson Haycock Hicks House Johnson
Judkins Kerr Norman Pindall Sims Stanford
Sullivan Tipton Wilson and Mr President
= 22

Absent Messrs Crowley Hampton Harris
Mulkey ^{Pennington} ~~Pennington~~ Throver Lobey and Williams
= 9

A quorum present.

S.S.B. Substitute for Senate bill No. 57. Entitled
No. 57. "An act regulating mortgages on personal
property" was taken up and being read
the third time the question was

Shall the bill pass?

which was decided in the affirmative

Ayes = 23 Noes = 2

The following Senators voted in the affirmative
Messrs Armistead Blackwell Bunch Campbell Duffie
East Ferguson Hampton Haycock Hicks House Johnson
Jenkins Norman Pindall Reagan Sims Stanford
Sullivan Lipton Williams Wilson and Mr
President

Those voting in the negative were Messrs
Chism & Kerr

Absent Senators Crowley Harris Mulkey
Pennington Thrower and Lobey = 6

So the bill passed

The title of the bill was read and adopted

S.B. Senate bill No. 92 Entitled "an act for the
No. 92 relief of John Robinson" was taken up and
being read the third time the question was

shall the bill pass?

which was decided in the affirmative

Ayes = 23 Noes = 1

The following Senators voted in the affirmative
Messrs Armistead Blackwell Bunch Campbell
Chism Duffie East Hampton Haycock Hicks
House Johnson Jenkins Kerr Norman Pindall
Reagan Sims Stanford Sullivan Lipton
Wilson and Mr President

~~Those voting in the negative were Messrs
Armistead Blackwell Bunch Campbell Chism~~

In the negative Senator Ferguson

Absent Senator Crowley Harris Mulkey
Pennington Thrower and Lobey

Excused from voting Senator Williams

So the bill passed

The title of the bill was read and adopted

S.B. Senate bill No. 101. Entitled "An act to protect No. 101. tax payers" was taken up and being read the third time the question was shall the bill pass. which was decided in the affirmative

Ayes = 19 Noes = 7

The following Senators voted in the affirmative Messrs Blackwell Chism Duffie East Ferguson Hampton Haycock Judkins Kerr Norman Pindall Reagan Sims Stanford Sullivan Tipton Williams Wilson and Mr President

Those voting in the negative were Messrs Armistead Burch Campbell Hicks House Johnson and Thrower

Absent Senators Crowley Harris Mulkey Pennington and Tobey = 5

So the bill passed

The title of the bill was read and adopted

S.B. Senate bill No. 100 Entitled "A bill to be entitled No. 100. An act to increase the appropriation to the contingent fund for collecting materials for and writing a history of Arkansas" was taken up and being read the third time the question was

Shall the bill pass?

which was decided in the negative

Ayes = 12 Noes = 14

The following Senators voted in the affirmative Messrs Campbell Duffie East Hampton Haycock Pindall Sims Stanford Sullivan Thrower Tipton and Williams

Those voting in the negative were Messrs Armistead Blackwell Burch Chism Ferguson Hicks House Johnson

Judkins Kerr Norman Reagan Wilson and Mr President

Absent Senators Crowley Harris Mulkey Pennington and Tobey = 5

So the Senate refused to pass the bill

S.B. Senate bill No. 115-Entitled "An act to amend No. 115: an act to fix the times of holding the Circuit Courts in the 10th Judicial District" was taken up and being read the third time the question was

Shall the bill pass? Which was decided in the affirmative

Ayes = 18 Noes = 4

Those voting in the affirmative were Senators Armistead Blackwell Bunch Campbell Chism East Ferguson House Judkins Kerr Norman Pendall Reagan Sims Stanford Tipton Williams and Mr President

In the negative were Messrs Ruffin Hampton Johnson and Throver

Excused from voting Senator Hicks

Absent Senators Crowley Harris Haycock Mulkey Pennington Sullivan Tobey and Wilson = 8

So the bill passed

The title of the bill was read and adopted

S.B. Senate bill No. 103. Entitled "An act to be entitled No. 103. an act to amend sections 879, 880, and 887 of Gault's Digest relating to Coroners Juris" was taken up and being read the third time the question was

Shall the bill pass?

Which was decided in the affirmative

Ayes = 21 Noes = 0

The following Senators voted in the affirmative
Messrs Armistead Blackwell Bench Campbell
Chism Duffie East Ferguson Hampton Hicks
Johnson Jenkins Kerr Norman Reagan Sims
Stanford Thrower Lipton Williams and Mr
President

In the negative none

Absent Senators Crowley Harris Haycock House
Mulkey Pennington Pindall Sullivan Tobey
and Wilson = 10

So the bill passed

The title of the bill was read and adopted

On motion of Senator Thrower the rules
were suspended for the purpose of taking up
bills on the second reading when

S.B. Senate bill No 134 Entitled "an act to
No. 134. prescribe the form of County warrants" was
taken up and read the second time and
on motion of Senator Pindall referred
to the Committee on the Judiciary

S.B. Senate bill No. 133 Entitled "A bill to be
No. 133. entitled an act to amend sections 12. 17.
and 49. of an act entitled an act to be
entitled an act for the incorporation organ-
ization and government of municipal
corporations" was taken up and read the
second time and on motion of Senator
Thrower referred to the committee on
corporations

S.M. Senate Memorial No. 7. asking a mail
No. 7. route from Mineral Springs to Center Point
in Howard County Arkansas" was taken
up and read the second time and placed
on the calendar.

S B Senate bill No 117 Entitled "an act to prevent
No. 117. the sale of alcoholic liquors in the town of
Eldorado in the County of Union" was taken up
and read the second time and motion of
Senator Hampton referred with accompanying
papers to the committee on Education

S B Leave being granted Senator Thrower introduced
No 137 Senate bill No. 137, Entitled "a bill for an act
to be entitled an act to enable the makers
and third persons to avoid usurious contracts
and liens".

The bill was read the first time and on
motion of Senator Thrower two hundred and
fifty copies ordered printed for the use
of the Senate

H B House bill No. 78 Entitled "an act to be
No 78 entitled an act to provide for constructive
service in cases of attachment before justices
of the peace" was taken up and read the
second time and placed on the calendar.

Senator Wilson chairman of the committee
on claims submitted the following report

Mr President

The committee on Claims to whom
was referred Senate resolution instructing
the committee to enquire and report any
improper means, if any, used to procure
the passage of Senate bill No. 32 and of
charges made that such means had
been used, have investigated the matter
and ask leave to report.

That the committee
called before them witnesses who were
examined; but the evidence discloses
nothing that tends to establish any
improper means were used to procure
the passage of the bill referred to

But the committee is of opinion that
language was used by L H Wood an officer

of This body which without explanation might well be construed to reflect upon the Senate.

The committee deemed it due to Mr Wood to call him before the committee and hear such explanation and statement as he might deem proper to make, and accordingly his explanation was submitted in writing under oath, from which it appears that no reflection was intended.

The testimony and statement taken by the committee are herewith submitted.

The committee recommended that the bill herewith do pass. it having been duly considered by the committee on a former reference

All of which is submitted

Wilson

Chairman

On motion of Senator Jenkins the Senate adjourned

Approved

Attest:

Jacob Frolich
Secretary

James K. Jones
President.

Senate Chamber Little Rock
Tuesday February 20th 1877.

The Senate met pursuant to adjournment at 10 o'clock A.M. and was called to order by Hon J K Jones President of the Senate

The roll was called by the Secretary and the following Senators were found to be present

Messrs Armistead Blackwell Burch Campbell
Duffie Ferguson Hampton Harris Hicks House
Johnson Judkins Kerr Norman Pindall Reagan
Sims Stanford Sullivan Lipton Tobey Williams
Wilson and Mr President = 24

Absent Senators Ohlson Crowley East Haycock
Malkey Pennington and Throver = 7

A quorum present

Prayer by Rev. J H. Buchanan. Chaplain.

The Journal of the preceding day was read approved and signed by the President and Secretary

A message was received from the Governor by his Secretary James M Gomeroy as follows.

State of Arkansas
Executive Office
Little Rock Feby 20th 1877.

To The President of the Senate

Mr President

I have this day approved and signed Senate bill No. 1. an act to legalize the levying of Taxes in the incorporated town of Searcy for the year 1876

W R Miller

Governor

On motion of Senator Norman the regular order of business was suspended for the purpose of taking up bills on the second and third reading.

H. B. No. 177. House bill No. 177. Entitled "An act to change the time of holding the Courts in the sixth Judicial Circuit" was taken up and read the first time and on motion of Senator Hicks the rules were suspended and the bill was read the second time. and on motion of Senator Hicks made the special order for tomorrow at 10 1/2 O'clock.

H. B. No. 72. House bill No. 72. Entitled "An act to provide for improving the streets and alleys and public grounds of Cities of the second class in this State" was taken up and read the first time and on motion of Senator Haycock the rules were suspended and the bill was read the second time and referred to the Committee on Corporations.

A message was received from The House of Representatives by assistant Clerk Holland as follows.

Hall House of Representatives
Feby 20th 1877.

Mr President

I am instructed by The House of Representatives to inform your honorable body of the passage by the House of Senate bill No. 91. Entitled "A bill for the relief of Ouachita County and to validate certain proceedings of the County Court and the assessment of property thereof" and herewith respectfully return the same.

Thomas W. Newlin
Clerk

Senator Chism answered to his name.

The rules being suspended Senator Duffie submitted the following report.

Mr President

Your committee on State Lands to which was referred Senate bill No. 135 to be entitled an act providing before whom affidavits may be made by applicants for donation of land" have considered the same and direct me to report it back and recommend that it do pass.

Respectfully Submitted
Duffie
Chairman

The rules being further suspended Senator Hicks submitted the following report

Mr President

Your committee on Printing have had under consideration Resolution in regard to the probable cost of 4000 copies of a new Digest of the laws of this State beg leave to submit the following report.

In the style of Gautts Digest it will cost \$22.850. The same style and matter without leads (no space between the lines) \$20.663. In long primer, brevier and nonpareil type (same as Illinois Revised Statutes). Solid \$19.725

Respectfully Submitted
Hicks
Chairman

On motion of Senator Hicks The report of the committee was referred to the judiciary committee

The rules being further suspended Senator Reagan submitted the following report

Mr President

Your committee on Printing to which was referred Senate bill No. 70 have

had. The same under consideration and after amending by striking out the word "estrays" where it occurs in section one line fifteen and the words "of ten lines of non pariel type" where they occur in section 2 lines thirty nine and forty of said bill instruct me to report the same back to the Senate with a recommendation that it do pass as amended.

Reagan
for Committee

The amendment was read the first time and on motion of Senator Reagan the rules were suspended and the amendment was read the second time and adopted.

Senator Williams moved to amend the bill by adding at the end of the first section "Provided that the provisions of this act shall not extend to proceedings before justices of the peace or notices required to be given by township or school District officers."

At 11 o'clock the President announced the special order, the consideration of Substitute for Senate bill No. 50.

On motion of Senator Williams the special order was postponed till the amendment to Senate bill No. 70 was disposed of.

When the amendment was read the first time and on motion of Senator Williams the rules were suspended and the amendment was read the second time and adopted and the bill ordered engrossed.

Senator Throver moved to reconsider the vote by which the substitute for the substitute for Senate bill No. 50 was defeated on yesterday.

At 12½ O'clock On motion of Senator Hicks the consideration of the motion to reconsider was postponed till 2½ O'clock P.M. and the Senate took a recess until that hour

After Recess.

The hour of 2½ O'clock having arrived The President called the Senate to order and upon the roll being called the following Senators were found to be present.

Messrs Armistead Blackwell Burch Campbell Duffie East Ferguson Hampton Harris Haycock Hicks House Johnson Norman Pindall Reagan Sims Stanford Sullivan Lipton and Mr President = 21

Absent Senators Chism Crowley Gledhill Kerr Mulkey Pennington Thrower Tobey Williams and Wilson = 10

A quorum present

On motion of Senator Haycock The further consideration of the special order and the motion to reconsider was postponed until tomorrow at 11 O'clock

H.B. No. 94 House bill No. 94 Entitled "a bill to be entitled an act to declare the marriage of William J I Knott and Martha Jackson legal and valid also declaring the marriage between Cicero Loussey and Fanny Maxwell legal and valid" was taken up and read the second time and on motion of Senator Reagan referred to the Judiciary Committee

H.B. No. 116 House bill No 116 Entitled "a bill to be entitled an act for the recovery of purchase money contracted for property in possession of the vendee" was taken up and read the second time and on motion of Senator Hicks referred to the Judiciary Committee

H B - House bill No. 158 Entitled "a bill to be
No. 158. entitled an act to amend an act entitled
an act to amend section 4410 of Gauntts
Digest" was taken up and read the second
time and on motion of Senator Hicks
referred to the Finance Committee

S. B. Senate bill No. 116 Entitled "an act to
No. 116. amend section 2991 of Chapter 65 of
Gauntts Digest" was taken up and read
the second time and on motion of
Senator Wilson referred to the Judiciary
Committee

S. B. Senate bill No. 124 Entitled "a bill to
No. 124 be entitled an act to fix the salaries of
State Officers and the per diem of
members of the General Assembly and
the number and salaries of the different
departments of the State Government" was
taken up and read the second time and
on motion of Senator Wilson referred to
the Committee on Expenditures.

S B Senate bill No. 122 Entitled "a bill to be
No. 122. entitled an act to promote agriculture"
was taken up and read the second time
and on motion of Senator Findall referred
to the committee on Agriculture.

S B Senate bill No 132 Entitled "an act to
No 132 enable County Courts to vacate or modify
certain Judgements" was taken up and
read the second time and on motion
of Senator Harris referred to the Judiciary
committee

S B Senate bill No. 131 Entitled "An act to
131 be entitled an act to amend an act
entitled an act to provide for the appoin-
ment of Notaries public in this State"
was taken up and read the second

time and on motion of Senator Ferguson referred to the Judiciary Committee.

S.B. Senate bill No. 129 Entitled "a bill for an act No. 129. to authorize the Commissioner of State Lands to sell the property known as the Arkansas Institute for the blind in Arkadelphia, Clark County Arkansas" was taken up and read the second time and on motion of Senator Ferguson referred to the Committee on Education

S.B. Senate bill No. 126 Entitled "An act to declare No. 126 Rail Road companies liable for damages to employees of the companies resulting from the negligence of their fellow servants or co employees" was taken up and read the second time and on motion of Senator Duffie referred to the ~~Judiciary~~ Committee on Rail Roads and other internal improvements

S.B. Senate bill No. 125 Entitled "a bill for an act to regulate the term of office of certain officers of this State" was taken up and read the second time and on motion of Senator Burch referred to the Judiciary Committee

S.B. Senate bill No. 127 Entitled "An act to amend 127 the act providing for the approval of official bonds of township and County Officers approved March 1st 1875" was taken up and read the second time and on motion of Senator Harris referred to the Judiciary Committee

H.B. House bill No. 128. Entitled "A bill to be 12.8 entitled an act creating two Judicial Districts in the County of Conway" was taken up and read the second time and on motion of Senator Campbell referred with accompanying papers to the Committee on County and County Lines

Senators Whism Jenkins and Williams answered to their names.

The regular order of business was resumed.

Senator Blackwell submitted the following report

Mr President

The committee on Expenditures to which was referred Senate resolution recognising John Marks as assistant Door Keeper and to authorize his pay as such.

Also Substitute to wit:
Resolved That John Marks as Janitor receive the sum of four dollars per day have carefully considered said resolution and a majority of the committee recommend that said John Marks be paid six dollars per day for his services

Blackwell

Chairman

Senator East moved that the report be adopted

Senator Williams moved to amend the report by striking out "six" and inserting "four" in lieu thereof and on this motion Senator Johnson called for the Ayes and Noes. The call was sustained.

Senator Kerr was called to the Chair. Senator Ferguson moved to amend the amendment by striking out "four" and inserting "three" in lieu thereof and on this motion called for the Ayes and noes

The call was sustained.

The roll was called and the motion lost

Ayes = 4 Noes = 22

The following Senators voted in the affirmative
Messrs Duffie Ferguson Hampton and Lober

Those voting in the negative were Messrs
Armistead Blackwell Bunch Campbell Chism
Harris Haycock Hicks House Johnson Judkins
Kerr Norman Pundall Reagan Sims Stanford
Sullivan Lipton Williams Wilson and
Mr President

Absent Senators Crowley East Mulkey
Punington and Thrower = 5-

So The Senate refused to adopt The
amendment to the amendment.

The question recurring on motion of Senator
Williams to amend the report by striking
out "six" and inserting "four" the roll was
called and the motion adopted

Ayes = 20 Noes = 6

The following Senators voted in the affirmative
Armistead Bunch Chism Duffie Ferguson Hampton
Haycock Hicks Judkins Kerr Norman Pundall
Reagan Sims Sullivan Lipton Lober Williams
Wilson and Mr President

Those voting in the negative were Messrs
Blackwell Campbell Harris House Johnson
and Stanford

Absent Senators Crowley East Mulkey Punington
and Thrower = 5-

So The amendment was adopted

On motion of Senator Williams the report
as amended was adopted

Senator Blackwell submitted the following
report

Mr President

The Committee on Expen-
ditures to which was referred House Bill

No. 65 an act to pay the costs of inquisitions on convicts in the Penitentiary has considered it and direct me to report the same back with a recommendation that it do pass.

Blackwell

Chairman

Senator Tipton submitted the following report

Mr President

Your committee on engrossed bills to which were referred Senate bill No. 54. entitled "an act to regulate the practice of Medicine and Surgery in the State of Arkansas" also Senate bill No. 108 entitled "an act to be entitled an act to protect the labor system" have had the same under consideration and find them correctly engrossed

Respectfully Submitted

Tipton

Chairman

S.B. Senator Hampton introduced Senate bill No. 138. No. 138 Entitled "a bill for an act entitled an act to provide a general system of Rail Road laws for this State."

The bill was read the first time and placed on the calendar.

On motion of Senator Jones the Senate adjourned

Approved

Attest:

Joseph Frolich
Secretary

James K. Jones
President.

Senate Chamber, Little Rock
Wednesday February 21st 1877

The Senate met pursuant to adjournment at 10 o'clock A.M. and was called to order by the Hon J K Jones President of the Senate

The roll was called by the Secretary and the following Senators were found to be present

Messrs Armistead Blackwell Bunch Campbell
Chism Duffie Ferguson Hampton Harris Haycock
Hicks House Jenkins Norman Pindall Reagan
Sims Stanford Sullivan Lepton Lober Williams
Wilson and Mr President = 24

Absent Messrs Crowley East Johnson Kerr
Mulkey Pennington and Throver = 7

A quorum present

Prayer by Rev. J H Buchanan Chaplain

The Journal of the preceding day was read approved and signed by the President and Secretary

S-J-R No. 16 Senator Haycock submitted Senate Joint Resolution No. 16 "Proposing an adjustment of the States indebtedness &c"

The Resolution was read the first time and on motion of Senator Haycock the rules were suspended and the Resolution was read the second time, two hundred and fifty copies ordered printed and the Resolution referred to the Committee on Finance.

Senator Campbell submitted the following

S R Resolved That all claims presented for allowance and payment founded upon accounts for work done material or goods furnished for the use of the Senate be

referred to the standing committee on claims for their examination, and pass upon the justice of such claims in whole or in part

Campbell
of Searcy,

On motion the Resolution was adopted

SJR
No. 17

Senator Judkins submitted Senate Joint Resolution No. 17 Referring to claims made during the Brooks Baxter war"

The resolution was read the first time and placed on the calendar

Senator Gindall submitted the following motion.

Mr President

I move that the accompanying claim of Lucetta Eddington Administratrix of the Estate of A. A. Eddington late Sheriff of Desha County be referred to the committee on claims with instructions to enquire into the same and report by bill or otherwise

Gindall
of Desha

The motion being put by the President was adopted.

Senator Kerr answered to his name.

Senator Bunch submitted the following report

Mr President

Your committee on County and County lines to which was referred House bill No. 35. Entitled "an act to amend section seventy of an act entitled an act fixing the regular terms for holding the County Courts of the State and fixing the salaries of the County Judges of the

several counties &c have had the same under consideration and have instructed me to report the same back to the Senate and recommend its passage

Bunch.

for Committee,

And also the following

Mr President

Your committee on County and County lines to which was referred House bill No. 83. Entitled "An act to change the boundary line between the Counties of Izard and Sharp" have had the same under consideration and a majority of said committee have instructed me to report the same back to the Senate and recommend its passage

Bunch

for Committee

And also the following.

Mr President

Your committee on County and County lines to which was referred Senate bill No. 130. "Entitled" "An act to change the lines separating the two Judicial Districts of Yell County" have had the same under consideration and a majority of said committee have instructed me to report the bill back to the Senate with the recommendation that it do pass.

Bunch

for Committee

Senator Kerr. submitted the following report.

Mr President

The committee on the Penitentiary to which was referred the amendments made by the House of Representatives to Senate bill No. 41. Entitled "An act to provide for the election of a Physician to the Penitentiary" have had the same under consideration and have directed me to report them to the Senate with the recommendation that the Senate agree to the House amendments. Respectfully Submitted. R. L. Kerr.

Senator Kerr moved that the rules be suspended and that the amendment be read the third time.

At 10 1/2 o'clock the President announced Special Order. The consideration of House bill No. 177

On motion of Senator Bunch the special order was postponed until the amendment to Senate bill No. 41 should be disposed of when the amendment was read the third time and concurred in

Ayes = 21 Noes = 7

The following Senators voted in the affirmative

Messrs Armistead Bunch Campbell Chism Duffie Ferguson Hampton Harris Hicks Judkins Kerr Norman Pindall Reagan Sims Stanford Thrower Tipton Tobey Wilson and Mr President

In the negative Senator Blackwell

Absent Senators Crowley East Haycock House Johnson Mulkey Pennington Sullivan and Williams

So the Senate concurred in the amendment to the bill made by the House of Representatives

SB
No 70
HB
177

Under Special Order House bill No. 177 entitled an act to change the time of holding the courts in the sixth judicial District was taken up and being read the third time the question was

Shall the bill pass?

which was decided in the affirmative

Ayes = 21 Noes = 0

The following Senators voted in the affirmative

Messrs Armistead Blackwell Bunch Campbell
Chism Duffie Ferguson Hampton Harris Hicks
Jenkins Kerr Norman Findall Reagan Sims
Stanford Lipton Lobey Wilson and Mr President

In the negative none

Absent Senators Crowley East Haycock House
Johnson Mulkey Pennington Sullivan Thrown
and Williams = 10

So the bill passed

The title of the bill was read and adopted

On motion of Senator Hicks the Secretary
was instructed to report the bill to the
House of Representatives at once

S B Senator Reagan introduced Senate bill No. 139
No 139 entitled "A bill to be entitled an act to
reimburse N B Pearce of Benton County, for
expenses incurred as Fish Commissioner of
the State of Arkansas."

The bill was read the first time and
placed on the calendar.

S B Senator Jenkins introduced Senate bill No. 140.
No 140 entitled "An act to amend section 2239 of
the revised statutes of Arkansas."

The bill was read the first time and placed
on the calendar.

S B Senator Jenkins introduced Senate bill No. 141
No 141 entitled "An act to declare trespass upon
stock a misdemeanor and defining the
punishment of the same"

The bill was read the first time and
placed on the calendar.

S B
No 142 Senator Kerr introduced Senate bill No. 142.
Entitled "an act to amend an act entitled
an act to provide for an account of fees
and emoluments of Office"

The bill was read the first time and
placed on the calendar

S B
No 143 Senator Lipton introduced Senate bill No. 143
Entitled "a bill for an act for the relief
of Chesley. Payne of Jackson County" with
notice as required by law for the introduction
of local bills

The bill was read the first time and placed
on the calendar

S B
No 144 Senator Findall introduced Senate bill No. 144
Entitled "an act to amend Section 7 and to
repeal Section 10 of an act to provide means
for paying the expenses of the State Govern-
ment and to retire the outstanding Auditors
warrants and Treasurers certificates approved
Dec 23^d 1874.

The bill was read the first time and placed
on the calendar

S B
No 145 Senator Hicks introduced Senate bill No. 145.
Entitled "a bill to be entitled an act to
allow J. A. Hildreth to peddle without
license"

The bill was read the first time and
placed on the calendar

S B
No 146 Senator Hicks introduced Senate bill No 146.
Entitled "an act to be entitled an act
to allow county Courts to grant license
to peddlers in certain cases."

The bill was read the first time and

on motion of Senator Hicks the rules were suspended and the bill was read the second time and referred to the committee on claims

S B No 138 Senate bill No. 138 Entitled "a bill for an act entitled an act to provide a system of Rail Road laws for this State" was taken up and being read the second time by the Secretary when.

At 11 o'clock the President announced Special Order. The consideration of a substitute for Senate bill No. 30.

On motion of Senator Hampton the special order was postponed until the completion of the second reading of Senate bill No. 138

The reading was thereupon continued and the bill was read the second time

Senator Kerr moved to amend the bill by striking out in the fourth line of section 23 paragraph nine the word "five" and inserting "three" and by striking out the word "ten" in the fifth line of the paragraph and inserting the word "eight"

The amendment was read the first time and on motion of Senator Kerr the rules were suspended and the amendment was read the second time

On motion of Senator Hampton the bill and proposed amendments were referred to the committee on Rail Roads and other internal improvements

On motion of Senator Hicks Hon Jesse Turner was invited to a seat on the floor of the Senate

On motion of Senator Hampton Senators House and Kerr were added to the committee on Rail Roads and other internal improvements

S B
No. 147

Leave being granted Senator Lipton introduced Senate bill No. 147. Entitled "a bill to be entitled an act to provide for the filling of vacancies in office during the interval between the occurrence of a vacancy and the announcement of the result of a special election"

The bill was read the first time and on motion of Senator Lipton the rules were suspended and the bill was read the second time and referred to the Judiciary Committee

The question then being on the motion of Senator Thrower to reconsider the vote by which the substitute for the substitute for Senate bill No. 50 was defeated

Senator Kerr called for the Ayes and Noes. The call was sustained

When the roll was called and the motion adopted

Ayes = 13 Noes = 11

The following Senators voted in the affirmative

Messrs Blackwell Bunch
Ferguson Hampton Harris Hicks House
Pindall Reagan Sims Thrower Lipton
and Mr President

Those voting in the negative were Messrs
Armistead Campbell Chiern Duffie Haycock
Judkins Kerr Stanford ^{Jobey} Williams & Wilson

Absent Senators Crowley East Johnson
Mulkey Norman Pennington & Sullivan

Senator Pindall moved that the substitutes for Senate bill No. 50 be referred to a select committee composed of one Senator from each Judicial District in the State.

Senator Haycock moved to amend by saying two Senators from each Judicial District

The motion was put by the President and lost and the Senate refused to adopt the amendment

The question recurring on the motion of Senator Pindall it was put by the President and adopted and the substitutes were referred to the select committee composed of one Senator from each Judicial District in the State.

S B No. 148 Leave being granted Senator Williams introduced Senate bill No 148 Entitled "a bill for an appropriation for John H. Stacey"

The bill was read the first time and on motion of Senator Williams the rules were suspended and the bill was read the second time and referred to the committee on claims with accompanying papers

S B No. 48 Senator Wilson called up Senate bill No 48 Entitled "an act for paying balance due for erecting the Arkansas Industrial University building"

The bill was read the third time

Senator Sims was called to the chair

On motion of Senator Norman the Senate adjourned

Attest:

James F. Frick

Secretary

James R. Jones

President.

Senate Chamber Little Rock
Thursday Feby 22nd 1877

The Senate met pursuant to adjournment at 10 O'clock A.M. and was called to order by Hon J K Jones President of The Senate.

The roll was called by the Secretary and the following Senators found to be present.

Messrs Armistead Blackwell Bunch Campbell
Chism Crowley Ferguson Hampton Harris
Haycock Hicks House Jenkins Kerr Mulkey
Norman Pindall Reagan Sims Sullivan
Tipton Tobey Williams Wilson and Mr President = 2

Absent Senators Daffie East Johnson Summington
Stanford and Thrower = 6

A quorum present

Prayer by the Rev S H Buchanan Chaplain

The Journal of The preceding day was read corrected and signed by the President and Secretary

The President of The Senate announced as select committee to consider Senate bill No. 30 and the substitutes thereto the following Senators to wit: from the.

5 th	Judicial District Sen.	Armistead.
1 st	"	" " House
2 ^d	"	" " Crowley.
3 ^d	"	" " Tipton
4 th	"	" " Reagan
6 th	"	" " Hicks
7 th	"	" " Blackwell.
8 th	"	" " East
9 th	"	" " Thrower
10 th	"	" " Norman.
11 th	"	" " Pindall

On motion of Senator Hicks Senator Kerr was added to the select committee and

on motion of Senator Lipton Senators Haycock and Sims were also added to the select committee

On motion of Senator Chism Senator Johnson was excused for the day

Senator Furdall introduced the following Resolution.

Resolved. That the Senate of Arkansas in token of its respect for the honored and cherished memory of George Washington the first President of the United States, and the purest of men and patriots and in deference to long established usage which has made the day of his birth a National holiday, do now adjourn

On motion to adopt this resolution Senator Thrower called for the Ayes and Noes. The call was sustained.

When the roll was called and the resolution was adopted

Ayes = 16 Noes = 11

The following Senators voted in the affirmative

Messrs Bunch Crowley Ferguson Hampton Harris Haycock Jenkins Mulkey Storman Furdall Reagan Sims Thrower Lipton Tobey and Mr President

Those voting in the negative were Messrs Armistead Blackwell Campbell Chism Daffie Hicks House Kerr Sullivan Williams and Wilson

Absent. Senators East Johnson Pennington and Stanford = 4

So The resolution was adopted and The
Senate adjourned

Approved

Attest:

Jacob Frolich
Secretary

James K. Jones
President

Senate Chamber Little Rock
Friday February 23^d 1877

The Senate met pursuant to adjournment at 10 o'clock A.M. Hon J.K. Jones Presiding

The roll was called by the Secretary and the following Senators were found to be present

Messrs Armistead Blackwell Burch Campbell Chism
Crowley Duffie Ferguson Hamplow Harris Hicks
House Jenkins Mulkey Norman Pundall Reagan
Sims Stanford Sullivan Throver Tipton Tobey
Williams Wilson and Mr President = 26

Absent Senators East Haycock Johnson Kerr
and Pennington = 5-

A quorum present

Prayer by Rev J H Buchanan Chaplain

The Journal of the preceding day was read approved and signed by the President and Secretary

Senators Haycock and Kerr answered to their names.

Senator Campbell submitted the following report

Mr President

The committee on enrolled bills have examined Senate bill No. 91 and directed me to report the same correctly enrolled. Said bill has been signed by the Speaker of the House and the President of the Senate and delivered to the Governor for his consideration on the 22nd day of February 1877

John Campbell
Chairman

Senator Norman submitted the following report

Mr President

I have been directed by the Committee on the Judiciary to report

to the Senate that it has had under consideration Senate bill No. 131 "an act to amend an act to provide for the appointment of Notaries Public in this State." I have been further directed to report to the Senate the enclosed substitute bill for said bill No. 131. and it recommends the adoption of said substitute in lieu of said original bill and the passage of the substitute

Norman
for Committee

S. B. No. 131 The substitute was read the first time and on motion of Senator Norman the rules were suspended and the substitute was read the second time and adopted

On motion of Senator Chism Col Whitthorn was invited to a seat on the floor of the Senate

Senator Williams submitted the following report

Mr President

The committee on the Judiciary to which was referred so much of the Governor's Message as relates to County and township officers have had the same under consideration and have instructed me to introduce the within bill, covering the emergency and recommend its passage

Respectfully Submitted
Williams of Pulaski

S B No 149 The bill was read the first time and on motion of Senator Williams the rules were suspended and the bill was read the second time and two hundred and fifty copies ordered printed

Senator Pindall submitted the following report

Mr President

The committee on the

Judiciary to which was referred Senate bill No. 147. A bill to be entitled an act to provide for the filling of vacancies in office during the interval between the occurrence of a vacancy and the announcement of the result of a special election" have had the same under consideration. I am instructed to return it with the recommendation that it pass.

Respectfully,

Pindall

Chairman

On motion of Senator Pindall the rules were suspended and Senate bill No. 147 Entitled "A bill to be entitled an act to provide for the filling of vacancies in office during the interval between the occurrence of a vacancy and the announcement of the result of a special election" was taken up and being read the third time the question was,

Shall the bill pass? Which was decided in the affirmative

Ayes = 26 Noes = none

The following Senators voted in the affirmative

Messrs Armistead Blackwell Bunch Campbell Chism Duffie Ferguson Hampton Harris Haycock Hicks House Jenkins Kerr Mulkey Norman Pindall Reagan Sims Stanford Sullivan Tipton Tobey Williams Wilson and Mr President

In the negative none
Absent Senators Crowley East Johnson Kemington and Throver = 5

So the bill passed

The title of the bill was read and adopted

On motion of Senator Pindall the rules were suspended and the Secretary was directed to report the bill to the House of Representatives at once

Senator Wilson submitted the following report

Mr President

The committee on Claims to whom was referred the petition of sundry citizens and tax payers of the State of Arkansas praying the remission of taxes on certain property therein set forth belonging to the heirs of Gen Thomas B Henderson Dec^d have had the same under consideration and ask leave to report.

That by reference to the Constitution it will be seen that all property subject to taxation is required to be taxed according to its value; that value to be ascertained in such manner as the General Assembly shall direct, making the same equal and uniform throughout the State.

Under this provision of the Constitution the Committee is of opinion that the property mentioned in the petition cannot rightfully be exempted from its due share of the burden of taxation.

If the property was assessed at a sum greater than its true value as alleged in the petition, the wrong should have been corrected in the manner provided by law. The conclusion reached by the committee is the petition is not a proper subject for legislation that the parties in interest are not entitled to the relief prayed, and have instructed me to so report.

The petition and accompanying papers are herewith returned.

All of which is respectfully submitted

Wilson
Chairman

On motion of Senator House the report of the committee was adopted

Senator House submitted the following report

Mr President

The committee on the Judiciary to which was referred Senate bill No. 125 "A bill for an act to regulate the term of Office of certain officers of this State" have considered the same.

I am instructed to return it with the recommendation that it pass.

Respectfully Submitted
J W House
for Committee

Senator Sims submitted the following report

Mr President

The committee on Finance to which were referred Senate Joint Resolutions No's 2, 5, 13 and 15, also Senate Concurrent Resolution No. 16, also Resolution (Mr Morris) all of which having reference to the adjustment of the indebtedness of the State have instructed me to return them without any recommendation.

Respectfully Submitted

L H Sims
for Committee

Senator Sims submitted the following report

Mr President

The committee on Finance to which was referred Senate bill No. 97 "A bill to be entitled an act to change the Revenue laws" have given it careful consideration and have made the following amendment thereto to wit: Strike out in line 15 Section 1, after the word "thereafter" the word "three" and insert in lieu thereof the word "One" and further amend by striking out in line 18 same section the word "three" and insert the word "five" in lieu thereof. The bill as amended is recommended on its passage. Respectfully &c L H Sims for Committee

The amendment was read the first time and on motion of Senator Wilson the rules were suspended and the amendment was read the second time and on motion of Senator Hicks the bill and amendment were referred to a committee of the whole and made special order for next Monday at 11 O'clock

Senator Ferguson submitted the following report

Mr President

Your committee on Agriculture to which was referred Senate bill No. 82 an act to make valid mortgages on crops" have had the same under consideration and instruct me to report the bill back with the recommendation that it lay on the table

Ferguson
Chairman

On motion of Senator Wilson the report of the committee was adopted

Senator Ferguson submitted the following report

Mr President

The committee on agriculture to which was referred Senate bill No. 122 entitled "an act to promote agriculture" have had the same under advisement and I am instructed to report the same back to the Senate with the recommendation that it lie on the table

Ferguson
Chairman

On motion of Senator Norman the report of the committee was adopted

Senator Lipton submitted the following report

Mr President

Your committee on engrossed bills to which was referred Senate bill No. 70 an act amendatory of existing laws in regard to the publication of legal notices" have had the same under consideration and find it correctly engrossed

Respectfully submitted
Lipton

Chairman

Senator Bunch submitted the following report

Mr President

The committee on County and County lines to which was referred Senate bill No. 118 entitled "an act to define and change the boundary line between the Counties of Clark and Pike" have had the same under consideration and have instructed me to report the same back to the Senate and recommend its passage

Bunch

for Committee.

Senator Bunch submitted the following report

Mr President

Your committee on County and County lines to which was referred the petition of sundry citizens of Baxter County praying to be attached to the County of Searcy" have duly considered the same and it appearing that no notice of such intention to apply to this General Assembly for such change having been given as provided by law the committee recommend that it lie on the table

Bunch

for Committee.

On motion of Senator Bunch the report of the Committee was adopted

Senator Bunch submitted the following report

Mr President

Your committee on County and County lines to which was referred Senate bill No. 113 "An act to authorize the County Court or Judge thereof in vacation to direct the employment of a guard for jail in certain cases &c" have had the same under consideration and recommend the following proviso to be added to section One. viz;

Provided that the said guard shall not be allowed a sum to exceed two dollars for each twenty four hours" and as thus amended recommend its passage

Bunch

for Committee

The amendment was read the first time and on motion of Senator Hicks the rules were suspended and the amendment was read the second time and adopted and the bill was ordered engrossed

Senator Blackwell submitted the following report

Mr President

The committee on Expenditures to which was referred Senate bill No 124 A bill to be entitled an act to fix the salaries of State Officers and the per diem of members of the General Assembly and the number and salaries of the employees of the different departments of the State Government" have considered the same and recommend the following amendments. in 1st Section 7th line strike out "2000" and insert "2500" in 1st Section 9th line strike out "1800" and insert "1500" and as thus amended your committee recommend that it do pass.

Blackwell. Chairman

The amendment was read the first time and on motion of Senator Williams the rules were suspended and the amendment was read the second time.

Senator Wilson moved to amend the bill by adding a section, as follows:
"That the office of Adjutant General be and the same is hereby abolished"

The amendment was read the first time and on motion of Senator Wilson the rules were suspended and the amendment was read the second time.

S.B. No. 124. On motion of Senator Williams Senate bill No. 124 and the amendments thereto were referred to a committee of the whole and made the special order for Tuesday next at 11 o'clock.

S.B. No. 150. Senator Williams introduced Senate bill No. 150.

The bill was read the first time and on motion of Senator Williams the rules were suspended and the bill was read the second time and referred to the Committee on Finance with instructions to report at as early a day as possible.

S.B. No. 151. Senator Harris introduced Senate Bill No. 151, Entitled "an act to amend Section 2. of the Schedule of the Constitution of 1874"

The bill was read the first time and on motion of Senator Harris the rules were suspended and the bill was read the second time and referred to the Judiciary committee.

S. B.
No. 152

Senator Lobej introduced Senate bill No 152 Entitled "An act for the creation and regulation of industrial and provident societies"

The bill was read the first time and on motion of Senator Hicks the rules were suspended and two hundred and fifty copies of the bill were ordered printed and the bill was referred to the committee on Corporations

On motion of Senator Duffie Judge Robt. T Fuller was invited to a seat within the bar of the Senate

S B
No 48

Senator Wilson called up Senate bill No. 48 which was on motion of Senator Williams recommitted to the committee on Claims

On motion of Senator Williams Senator Norman was added to the committee on Corporations

H. B.
No 179

On motion of Senator Wilson the rules were suspended and House bill No. 179 Entitled "An act to reduce the amount allowed for printing blank statements" was taken up and read the first time and the rules being further suspended the bill was read the second time and referred to the committee on Expenditures

S B
No 32

On motion of Senator Wilson the rules were suspended and Senate bill No. 32 entitled "An act for the relief of J. T. Griffin and sons" was taken up and read by title.

The amendment was read the second time and adopted and the bill ordered engrossed

S.B. Senator Kerr introduced Senate bill No. 153
No. 153 entitled "An act to regulate the transportation
of materials, supplies and articles used or
made in the Arkansas Penitentiary"

The bill was read the first time and on
motion the rules were suspended and the bill
was read the second time and on motion
of Senator Hicks referred to the Judiciary
Committee.

S.B. Senator Kerr introduced Senate Bill No. 154
No. 154 Entitled "A bill for an act to amend an
act entitled an act to amend sections 601
and 602. of Gen. Stat. and to limit the
power of County Courts and agents to make
contracts and regulate appropriations"

The bill was read the first time. The rules
were suspended and the bill was read the
second time and referred to the Judiciary
Committee

On motion of Senator Hicks the rules were
suspended for the purpose of taking up
bills on the third reading

S.B. Senate bill No. 70. Entitled "an act amendatory
No. 70. of existing laws in regard to the publication
of legal notices" was taken up and being
read the third time the question was

Shall the bill pass?
which was decided
in the affirmative

Ayes = 25 Noes = 0

The following Senators voted in the affirmative
Messrs Hornstead Blackwell Bunch Campbell
Cham Duffie Ferguson Hampton Harris Hazewick
Hicks House Jenkins Kerr Mulkey Norman
Pindall Reagan Sims Sullivan Tipton Tobey
Williams Wilson and Mr. President

In the negative none

Absent Senators Crowley East Johnson
Pennington Stanford and Throver = 6

So the bill passed

The title of the bill was read and adopted.

S. B. No. 109 Senate bill No. 109 Entitled "an act to preserve the evidence of publication of proclamations and legal notices" was taken up and read the third time.

Senator Duffie moved to recommit the bill to committee on printing with instructions to strike out the first section

Senator Hampton called for a division of the question.

When the question was put on the motion to recommit the bill and the motion adopted.

Senator Duffie withdrew the motion to instruct the committee to strike out the first section and the bill was recommitted to the committee on printing

S B No 85 Senate bill No 85. Entitled "an act to regulate the return of abstracts of election for Governor and other State officers and amend existing laws in reference thereto" was taken up and being read the third time the question was

Shall the bill pass? which was decided in the affirmative

Ayes = 23 Noes = 0

The following Senators voted in the affirmative

Messrs Armistead Blackwell Bunch Campbell
Chism Ferguson Hampton Harris Haycock Hicks
House Judkins Kerr Mulkey Norman Peidall Reagan
Sims Lipton Tobey Williams Wilson and
Mr President

In the negative none

Absent Senators Crowley Duffie East Johnson
Pennington Stanford Sullivan and Throver = 8

So the bill passed

The title was read and adopted.

S. M Senate Memorial No. 7, asking a mail route
No. 7. from Mineral Springs to Center Point in Howard
County Arkansas" was taken up and being
read the third time the question was

Shall the Memorial pass? which was
decided in the affirmative

Ayes = 20 Noes = 2

The following Senators voted in the
affirmative

Messrs Armistead Blackwell
Bunch Campbell Chism Ferguson Hampton
Harris Haycock Hicks House Judkins Mulkey
Norman Peidall Reagan Sims Lipton Tobey
Wilson

In the negative Messrs Williams and
Mr President

Absent Senators Crowley Duffie East
Johnson Kerr Pennington Stanford Sullivan
and Throver

So the Memorial passed

The title of the Memorial was read and
adopted

House bill No. 78. Entitled "An act to be entitled an act to provide for constructive service in cases of attachment before Justices of the peace" was taken up and read the third time and on motion of Senator Williams referred to the Judiciary Committee

Senate bill No 54 was taken up and read by title

On motion of Senator Hicks The Senate adjourned

Approved

Attest:

Jacob P. Probst
Secretary

James H. Jones
President.

Senate Chamber Little Rock

Saturday February 24th 1877.

The Senate met pursuant to adjournment at 10 o'clock A.M. and was called to order by the Hon. J. K. Jones President of the Senate

The roll was called by the Secretary and the following Senators were found to be present

Messrs Armistead Blackwell Burch Campbell
Chism Crowley Duffie Ferguson Hampton Harris
Hicks House Johnson Judkins Kerr Mulkey
Norman Pindall Reagan Sims Stanford Sullivan
Lipton Tobey Williams Wilson and Mr President
= 27

Absent Senators East Haycock Pennington and
Thrower = 4

A quorum present

Prayer by The Rev. S. H. Buchanan Chaplain

The Journal of the preceding day was read approved and signed by the President and Secretary

Senators East and Haycock answered to their names

On motion of Senator Pindall Judge Caldwell was invited to a seat within the bar of the Senate

The President of the Senate submitted a Memorial from the State Immigration Society

The Memorial was read by the Secretary and referred to the Finance Committee.

The President also submitted Resolution of the Arkansas Immigration Society which was read by the Secretary and on motion of Senator Williams referred to the Committee on Rail Roads and other internal improvements

S. J. M.
No. 2.

Senator Crowley submitted Senate Joint Memorial No. 2, "A Memorial for the improvement of the navigation of the St. Francis River"

The memorial was read the first time and placed on the calendar

Senator Williams submitted the following

Whereas the term of office of the Hon J. K. Jones President of the Senate will expire before the meeting of the next General Assembly, Therefore Resolved, That the Senate shall proceed on the 8th day of March next at 12 M to elect from those members whose term of office continues over, a President of the Senate as prescribed in the constitution

Williams of Pulaski

On motion the resolution was adopted.

Senator Wilson submitted the following report

Mr. President

The committee on claims to whom was recommended Senate bill No. 48 entitled "an act for paying balance due for erecting Arkansas Industrial University building" have again had the same under consideration and I am instructed to report the bill back and recommend its passage with the following amendment strike out the first section and insert in lieu thereof the following.

Be it enacted by the General Assembly of the State of Arkansas

Section. 1 That the sum of nineteen thousand five hundred and seventy seven dollars and sixty seven cents be and the same is hereby appropriated out of any money in the Treasury not otherwise appropriated to W. J. Mayes & Co for balance due them for erecting Arkansas Industrial University building to be paid

in four several installments as follows to wit:
 July first 1877. \$4734.97 January first 1878 \$4876.14
 April first 1878 \$4947.87 and July first 1878 \$5018.69
 and the Auditor is hereby required to draw his
 warrant upon the Treasury payable to the Treasurer
 of the board of trustees of said University for
 said several installments as the same fall due
 to be paid to the said W & Hayes & Co under
 the direction of said board

All of which is respectfully submitted
 Wilson
 Chairman

The amendment was read the first time
 and on motion of Senator Wilson the rules
 were suspended and the amendment was
 read the second time

Senator Hicks moved to amend the amendment
 by inserting after the word "Treasury" the words
 "except moneys of the interest and sinking fund"

The amendment to the amendment was read
 the first time and on motion of Senator Hicks
 the rules were suspended and the amendment
 was read the second time

Senator Hicks moved to adopt the amendment
 to the amendment and on this motion
 Senator Kerr called for the Ayes and Noes,
 the call was sustained.

When the roll was
 called and the motion to adopt the amend-
 ment to the amendment was lost

Ayes = 7 Noes = 21

The following Senators voted in the affirmative
 Messrs Crowley Duffie Ferguson Harris Hicks
 Norman and Thrower

In the negative were
 Messrs Armstrong Blackwell Bunch Campbell
 Chism East Hampton Haycock House Johnson
 Kerr Mulkey Pindall Reagan Sims Stanford
 Tipton Tobey Williams Wilson and Mr President

Absent Senators Jenkins Pennington and Sullivan

As The Senate refused to adopt the amendment to the amendment

On motion of Senator Bunch the amendment reported by the committee was adopted and the bill was ordered engrossed

A message was received from The Governor by his Secretary Gen Jas W Pomeroy as follows

State of Arkansas
Executive Office
Little Rock Feby 23rd 1877

To the President of the Senate.
Mr President

I have approved and signed Senate bill No. 91 "A bill for the relief of Ouachita County and to validate certain proceedings of The County Court and the assessment of property thereof

W R Miller
Governor.

A message was received from The House of Representatives by assistant clerk Holland as follows

Hall House of Representatives
Feby 24th 1877

Mr President

I am instructed by The House of Representatives to inform your honorable body of the passage by the House of House bill No. 65 entitled "an act authorizing the County Court of Pulaski County to equalize and amend the assessment of Real estate made in 1876

Also, of the passage of House bill No. 178, entitled "an act to provide for refunding to counties the school funds which have been erroneously apportioned to other counties

and herewith respectfully transmit the same
 Thomas W. Newton
 Clerk.

Senator Campbell submitted the following report

Mr President

The committee on enrolled bills have examined Senate bill No. 41, and have directed me to report the same correctly enrolled, said bill has been signed by the Speaker of the House and the President of the Senate and delivered to the Governor for his consideration This 24th day of February 1877
 John Campbell
 Chairman

Senator Hicks moved to suspend the rules and take up bills on the third reading

The motion was put by the President and lost and the Senate refused to suspend the rules

Senator East submitted the following report

Mr President

Your committee on Corporations have had under consideration House bill No. 72 and I am instructed to report the same back to the Senate with the following amendments. In line 12 Section 8 strike out the word "two" and insert "one" In line 13 Section 8 strike out the letters U.S. and insert the words "United States" and as so amended your committee recommend the passage of the bill
 East of Pike
 Chairman

The amendment was read the first time and on motion of Senator Haycock the rules were suspended and the amendment was read the second time and adopted.

Senator East submitted the following report

Mr President

Your committee on Corporations to whom was referred Senate bill No 133. have had the same under consideration and I am instructed to report the same back to the Senate and recommend the following amendment, in the 6th line from the end of Section One after the word "to" insert the words "regulate license tax or" and as so amended your committee recommend the passage of the bill

East of Pike
Chairman

The amendment was read the first time and the rules were suspended and the amendment was read the second time

Senator Haycock moved that the amendment be adopted

On motion of Senator Ferguson the bill was recommitted to the committee on Corporations

Senator Mulkey submitted the following report

Mr President

Your committee on County and County lines to which was referred a petition from certain Citizens of Dorsey County asking to be attached to Dallas County have had the same under consideration and recommend that it lie on the table for the following reason Because the County of Dorsey has no territory in excess of six hundred square miles and The Constitution Article 13. Section one provides that no county now established shall be reduced to an area of less than six hundred square miles

Respectfully Submitted
M J Mulkey
Ch Committee

On motion of Senator Duffie the report of the committee was adopted.

Senator Blackwell submitted the following report

Mr President

The committee on Expenditures to which was referred House bill No 179 an act to reduce the amount allowed for printing blank statements have considered the same and direct me to report it back and recommend that it do pass.

Blackwell

Senator Bunch submitted the following report

Mr President

Your committee on Rail Roads and other internal improvements to which was referred Senate bill No 104 have had the same under consideration, and your committee believing that the law as it now stands on that subject is amply sufficient I am instructed therefore to report the bill back to the Senate with the recommendation that it do not pass.

Bunch

Chairman

On motion of Senator Bunch the report of the committee was adopted.

Senator Bunch submitted the following report

Mr President

The committee on Rail Roads and other internal improvements have had under consideration Senate bill No 128 entitled an act to fill the vacancy now existing in the board of Rail Road Commissioners of this State and the provisions of the bill having been provided for in a previous act I am instructed to report the bill back to the Senate with the recommendation that it do not pass.

Bunch Chairman

On motion of Senator Hicks the bill was laid on the table.

Senator Bunch submitted the following report

Mr President.

Your committee on Rail Roads and other internal improvements to which was referred Senate bill No. 72. Entitled "an act to prevent unjust discriminations and excessive charges by the different Rail Roads of this State" have had the same under consideration and submit the following amendments thereto viz insert after the word "distance" in twenty first line of section one the words "in the same direction". Also in section two strike ^{out} all after the word "jurisdiction" in line forty five to the word "and" in line forty eight, also amend section three by striking out all after the word "suit" in fifteenth line to the word "to" in line twenty and as thus amended a majority of your committee recommend that it do pass.

Bunch

Chairman

The amendment was read the first time and on motion of Senator Hicks the rules were suspended and the amendment was read the second time and adopted and the bill ordered engrossed.

Senator Armistead submitted the following report

Mr President

The committee to which was referred Senate bill No. 50 with substitute having reference to the apportionment of the State into Judicial Circuits have instructed me to report with the recommendation that the same lie on the table and further that the annexed bill be presented for the consideration of the Senate.

Respectfully Submitted

H. B. Armistead

Chairman Committee

S.B. No. 155. The bill was read the first time and on motion of Senator Williams the rules were suspended and the bill was read the second time

Senator Haycock proposed an amendment to the bill by striking out Faulkner County from the 6th and adding it to the 7th Judicial District

The amendment was read the first time and the rules were suspended and the amendment was read the second time

Senator Haycock moved that the amendment be adopted and called for the Ayes and Nays on the motion, the call was sustained

Pending discussion of the amendment Senator Reagan moved the previous question

When the question was shall the main question be now put which was decided in the affirmative

The roll was called and the motion to amend was lost

Ayes = 3 Nays = 26

The following Senators voted in the affirmative

Messrs Crowley Haycock and Stanford

Those voting in the negative were Messrs Armistead Blackwell Bunch Campbell Chism Duffie East Ferguson Hampton Harris Hicks House Johnson Jenkins Kerr Mulkey Norman Pindall Reagan Sims Sullivan Thrower Lipton Williams Wilson and Mr President

Absent Senators Fennington and Lobey

So the Senate refused to adopt the amendment.

Senator Duffie was called to the chair

Senator Judkins moved that the Senate do now adjourn

The motion was put and lost and the Senate refused to adjourn

Senator Hicks was granted leave of absence for the day

Senator East moved to amend the bill by striking out section before the last in the bill and after some discussion of the amendment Senator Williams moved the previous question

When the question was shall the main question be now put which was decided in the affirmative

The question then was shall the amendment be adopted

Senator Wilson called for the Ayes and noes. The call was sustained when the roll was called and the motion to adopt the amendment lost

Ayes = 6 Noes = 14

The following Senators voted in the affirmative

Messrs Crowley Duffie East Haycock Sanford and ~~Houser~~

Those voting in the negative were Messrs Armistead Blackwell Bunch Campbell Chism Ferguson Hampton Mulkey Norman Pendall Reagan Sims Williams and Wilson

Absent Senators Harris Hicks House Johnson Judkins Kerr Pennington Sullivan Lepton Lobey and Mr President = 11

So the Senate refused to adopt the amendment

On motion of Senator Haycock the Senate adjourned.

Approved

Joseph P. Smith James H. Jones
Secretary. President.

Senate Chamber Little Rock
Monday February 26th 1877

The Senate met pursuant to adjournment at 10 o'clock A M and was called to order by Hon J K Jones President of the Senate

The roll was called by the Secretary and the following Senators were found to be present

Messrs Armistead Blackwell Bunch Campbell
Chism Crowley Duffie Ferguson Hampton
Harris Hicks House Judkins Kerr Mulkey
Norman Pindall Reagan Sims Stanford
Sullivan Tipton Tobey Williams Wilson
and Mr President = 26

Absent Senators East Haycock Johnson
Pennington and Throver = 5

A quorum present

Prayer by Rev A H Buchanan Chaplain

The Journal for Saturday February 24th was read approved and signed by the President and Secretary.

S B
No 155 On motion of Senator Pindall The rules were suspended and Senate bill No 155 entitled "an act dividing the State into thirteen Judicial Circuits fixing the time for holding courts and fixing the salaries of Judges of Circuit Courts" was taken up and read by title

Senator Hampton was called to the chair

A message was received from the House of Representatives by Chief Clerk Newton as follows

Hall House of Representatives
Febry 26th 1877

Mr President

I am instructed by the House

of Representatives to inform your honorable body of the passage by the House of Senate bill No. 147 entitled "an act to provide for the filling of vacancies in office during the interval between the occurrence of a vacancy and the announcement of the result of a special election"

N^o 6 { Also of the passage of House bill No. 6, entitled "an act to reduce the taxes"

All of which is herewith respectfully transmitted

Thomas W Newton
Clerk.

Senator Fiddell moved to amend Senate bill No. ~~145~~ by striking out "March" and inserting "April" in 5th Circuit Sebastian County Greenwood District and in Fort Smith District strike out "March" and "September" and insert "October" and "April"

The amendment was read the first time and on motion of Senator Fiddell the rules were suspended and the amendment was read the second time and adopted

Senator Harris moved to amend by striking out the word "May" in 3rd line 3rd section and inserting the word "July" in lieu thereof

The amendment was read the first time and on motion of Senator Harris the rules were suspended and the amendment was read the second time and adopted

Senator Jones moved to amend by substituting for 9th Circuit. The following in

"Miller County 1st Monday in May and November.

Lafayette County Third Monday after the first Monday in May and November

Ouachita County Fifth Monday after the first Monday in May and November

Nebraska County Ninth Monday after the first Monday in May and November

Hempstead County Twelfth Monday after the first Monday in May and November

The amendment was read the first time and on motion of Senator Jones the rules were suspended and the amendment was read the second time and adopted

Senator Harris moved to amend the bill by striking out all after the word "judges" in proviso to fourth section and insert the words "until after the next general election"

The amendment was read the first time and on motion the rules were suspended and the amendment was read the second time and adopted

Senator Judall moved to amend in 7th Circuit Conway County Strike out "first Monday of March and September" and insert "second Monday of February and August"

In Pope County Strike out "4th" and insert "3rd Monday after the 3rd"

Yell County Danville District Strike out "2nd" and insert "1st" and strike out "February and August" and insert "March and September"

Dardanelle District strike out "February and August" and insert "March and September"

Johnson County strike out "3^d" and insert "6th" and strike out "4th" and insert "3rd"

Franklin County in 5th Circuit strike out "March and September" and insert "October and April"

The amendment was read the first time and on motion of Senator Pindall the rules were suspended and the amendment was read the second time and adopted

On motion of Senator Williams the committee on engrossed bills was instructed to arrange the counties in the circuits according to the time of holding the courts

On motion of Senator Haycock the bill was ordered engrossed and two hundred and fifty copies ordered printed

On motion of Senator Williams Paul R. Newton was invited to a seat within the bar of the Senate

Senator Crowley asked and obtained leave of absence for Senator East for one week

Senator East answered to his name

BR 06 On motion of Senator Williams the rules were suspended and House bill No. 6 entitled "an act to reduce taxes" was taken up and read the first time

At 11 O'clock Special Order was announced. the consideration of Senate bill No. 97. and on motion of Senator Ferguson the special order was postponed for the second reading of House bill No. 6 when the bill was read the second time and referred to the Committee on Finance.

On motion of Senator East the special order was further postponed for the purpose of taking up Senate bill No. 118

The President resumed the chair.

S. B.
No. 118.

On motion of Senator East the rules were suspended and Senate bill No. 118 Entitled "A bill for an act to be entitled an act to define and change the boundary line between the Counties of Clark and Pike" was taken up and being read the third time the question was Shall the bill pass?

which was decided in the affirmative

Ayes = 28 Noes = 0

The following Senators voted in the affirmative

Messrs Armistead Blackwell
Bunch Campbell Chism Crowley Duffie
East Ferguson Hampton Harris Haycock
Hicks House Judkins Kerr Mulkey Norman
Pindall Reagan Sims Stanford Sullivan
Lipton Tobey Williams Wilson and Mr
President

In the negative none

Absent Senators Johnson Pennington & Throver

So the bill passed

The title of the bill was read and adopted

The Senate then at 11 1/2 o'clock under special order resolved itself into committee of the whole for the consideration of Senate bill No. 97. Senator Hicks in the chair

At 11-35 the committee arose and through its chairman Senator Hicks

reported to the Senate recommending that the bill be referred to the committee on Finance

On motion The report of the committee was adopted and the bill was so referred

Senator Whism presented the petition of citizens of Yell County which was read by the Secretary and on motion of Senator Whism referred to the committee on County and County lines with instructions to report as early as possible

Senator Williams presented the memorial of Weldon E Wright asking to be reimbursed for moneys expended for the State during the Brooks Baxter War. which was read by the Secretary and on motion of Senator Duffie referred to the committee on Claims

186
156
Senator Ferguson presented the petition of citizens of Monroe County accompanied with bill, the petition being read, the bill was read the first time and on motion of Senator Ferguson the rules were suspended and the bill was read the second time and referred with accompanying petition to the committee on the Judiciary

Senator Lobey submitted the following

Mr President

Whereas, W. S. Grant President of the United States has arbitrarily prohibited the celebration of the birthday of George Washington in a sister State it is no longer fitting that his portrait should keep company with that of the Father of his Country

Therefore, Be it resolved

That The Sergeant-At-Arms is hereby ordered to remove the picture of President Grant from the wall of the Senate Chamber and substitute that of Thomas Jefferson the immortal author of the declaration of independence

Lobey of Gope

Senator Johnson moved That the resolution be adopted

Senator Haycock called for the Ayes and noes, call sustained.

Senator Kerr moved That the resolution be referred to the Committee on Federal Relations

Senator Johnson called for the Ayes and Noes, the call was sustained

The roll was called and the motion to refer was adopted

Ayes = 16 Noes = 11

The following Senators voted in the affirmative

Messrs Armistead Blackwell
Bunch Chism Crowley Harris Haycock
Hicks Kerr Mulkey Sims Stanford
Sullivan Lipton Williams and Mr President

Those voting in the negative were
Messrs Campbell Duffie Ferguson
Hampton Johnson Judkins Norman Pindall
Reagan Lobey and Wilson

Absent Senators East House Pennington
and Thriver = 4

So the resolution was referred to the Committee on Federal Relations.

Senator Kerr submitted the following

Resolved — That the committee on printing be directed to inquire and report to the Senate the cost of printing the message of the Governor and the accompanying reports of the State Officers submitted to the General Assembly at the beginning of the present session, and the rates at which the printing ordered by the Senate is done, and to inquire of the Board of Commissioners to superintend the letting of public contracts whether they have taken any measures to carry out the provisions of "An act to regulate the letting of public contracts" approved Nov. 28th 1874

Also whether the law regulating the preparation and cost of indexing the acts and Journals of the two Houses of the General Assembly and other documents that may require indexing is sufficiently definite and certain

On motion of Senator Kerr the resolution was adopted

Senator Jenkins submitted the following

Whereas the clerk of the Judiciary Committee M. Brandes has performed the duties of clerk of the Judiciary, Finance and Joint Judiciary Committee's

Therefore
Be it resolved That the said M. Brandes be and is hereby declared to be entitled to the sum of six dollars per day from the time of his employment up to the time of the adjournment of the General Assembly and the President and Secretary of the Senate are hereby authorized to give him certificates accordingly

Jenkins

of Lawrence.

Senator Jenkins moved to adopt the resolution

18
On motion of Senator Wilson the resolution was amended by striking out "six" and inserting "four".

On motion of Senator Findall the resolution was referred to the committee on Finance

On motion of Senator Kerr the Judiciary committee was requested to report Senate bill No. 43, back to the Senate at its earliest convenience

Senator Duffie submitted the following report

Mr President
The committee on the Judiciary to which was referred House bill No. 78 an act to be entitled an act to provide for constructive service in cases of attachment before Justice of the Peace" have considered the same and have made the following amendment thereto to wit:

Amend section five by adding after the word "That" at the beginning of said section the words "the first clause of" and also strike out the word "sections" after the same word "That" and insert the word section. and further amend by adding after the ciphers "4727" the words "and section" also strike out "and 4729" all in line 1. section 5.

The bill as amended is returned and its passage recommended

Respectfully Submitted

M. M. Duffie
for Committee.

The amendment was read the first time and on motion of Senator Duffie the rules were suspended and the amendment was read the second time

Senator Williams moved to amend the amendment

On motion of Senator Duffie the bill and report were recommitted to the Judiciary committee.

Senator Jenkins submitted the following report.

Mr President

The committee on the Judiciary to which was referred Senate bill No 114 "An act to be entitled an act to legalize an order of the County Court of Monroe County readjusting the school districts of said County" have considered the same and have made the following amendment thereto to wit: Strike out all the preamble leaving only the title and the enacting clause of the bill.

The bill as amended is recommended on its passage

Respectfully Submitted
Jenkins
for Committee

The amendment was read and on motion of Senator Jenkins adopted.

Senator Sims submitted the following report

Mr President

The committee on Finance to which was referred House bill No. 43 "A bill to be entitled an act to amend the Revenue laws of the State of Arkansas" have had the same under consideration

I am instructed to return it with the recommendation that it lie on the table

Respectfully Submitted
L H Sims
for Committee.

On motion the report of the committee was adopted.

Senator Wilson submitted the following report

Mr President

The committee on the Judiciary to which was referred House bill No. 18, "A bill to be entitled an act to amend Section 1936 Chapter 43 of Harts Digest to establish uniformity of argument of Council in criminal and civil cases" have considered the same.

I am instructed by the committee to return it with the recommendation that it pass.

Respectfully Submitted
Wilson
for Committee

Senator Williams submitted the following report

Mr President

The committee on the Judiciary to which was referred Senate bill No. 132, "A bill to be entitled an act to enable County Courts to vacate or modify certain judgments" have had the same under consideration.

I am instructed to return it with the recommendation that it pass

Respectfully Submitted
S W Williams

Senator Fuddall submitted the the following report

Mr President

The committee on the Judiciary to which was referred

Senate bill No 120 "a bill for an act to be entitled "an act to regulate the practice as to bills of exception" have given it due consideration.

I am instructed to return it with the recommendation that it pass

Respectfully Submitted

X J Furdall
Chairman

Senator Furdall submitted the following report

Mr President

The committee on the Judiciary to which was referred House bill No. 121. "An act to change the time of holding the Probate Court of Dorsey County" have considered the same and herewith return it with the recommendation that it pass.

Respectfully Submitted

X J Furdall
Chairman

On motion of Senator Furdall the rules were suspended and House bill No 121 entitled "an act to change the time of holding the Probate Court of Dorsey County" was taken up and being read the third time the question was

Shall the bill pass?

which was decided in the affirmative

Ayes = 27 Noes = 0

The following Senators voted in the affirmative

Messrs Armstrong Blackwell Buich Campbell Chism Crowley Duffie Ferguson Hampton Harris Haycock Hicks House Johnson Judkins Kerr Mulkey Storman Furdall Reagan Sims Sullivan Tipton Tobey Williams Wilson and Mr President

In the negative none

Absent Senators East Tarrington Stanford and
Thrower = 4

So the bill passed

The title of the bill was read and adopted

Senator Johnson submitted the following
report

Mr President

The committee on the
Indecency to which was referred Senate
bill No 153 "An act to regulate the transpor-
tation of materials supplies and articles
used or made in the Arkansas Penitentiary
have considered the same.

I am instructed
to return the bill with the recommendation
that it pass.

Respectfully Submitted
Johnson
for Committee

S.B. On motion of Senator Williams the rules
No. 153 were suspended and Senate bill No 153
"An act to regulate the transportation of
materials, supplies and articles used or
made in the Arkansas Penitentiary" was
taken up and being read the third time
the question was.

Shall the bill pass?

which was decided in the affirmative

Ayes = 24 Noes = 3

The following Senators voted in the
affirmative

Messrs Armistead Blackwell
Bunch Campbell Chism Crowley Duffie
Ferguson Hampton Harris Haycock Hicks
House Johnson Judkins Kerr Malley
Norman Sims Sullivan Tipton Tobey
Williams and Wilson

Those voting in the negative were messrs
Pendall Reagan and Mr President

Absent Senators East Pennington Stanford and
Thrower = 4

So the bill passed

The title of the bill was read and adopted.

On motion of Senator Wilson Senator Thrown
was granted leave of absence on account of
illness

On motion of Senator Sims Senator Tipton
was added to the committee on Finance

S.B. Senator Judkins introduced Senate bill
No 157. No. 157. Entitled "An act giving surviving
husbands an estate of deceased wives having
separate estates"

The bill was read the first time and on
motion of Senator Judkins the rules were
suspended and the bill was read the
second time and referred to the Judiciary
Committee

Senator Kerr was called to the chair

S.B. Senator Johnson introduced Senate bill
No. 158. No. 158 Entitled "A bill for an act to prevent
officers from speculating in scrip and for
other purposes"

The bill was read the first time

Senator Johnson moved to suspend the
rules and have the bill read the second
time

The motion was put and lost and
the Senate refused to suspend the rules.

On motion of Senator Wilson The rules were suspended for the purpose of taking up House bills No 179 and 178 when

H. B. No. 179. House bill No 179 Entitled "An act to reduce the amount allowed for printing blank statements" was taken up and being read the third time the question was

Shall the bill pass?
which was decided in the affirmative

Ayes = 21 Noes = 3

The following Senators voted in the affirmative

Messrs Armistead Blackwell Bunch Campbell
Chism Crowley Ferguson Hampton Harris
Haycock House Jenkins Kerr Mulkey
Norman Pindall Reagan Sims Tipton
Williams and Wilson

Those voting in the negative were Messrs
Ruffin Hicks and Tobey

Absent Senators East Johnson Pennington
Stanford Sullivan Throver and Mr President.
= 7

So the bill passed

The title of the bill was read and adopted

H. B. No. 178. House bill No. 178 Entitled "An act to provide for refunding to Counties the school funds which have been erroneously apportioned to other Counties" was taken up and read the first time and on motion of Senator Tipton the rules were suspended and the bill was read the second time and referred to the committee on Education

On motion of Senator Armistead Dr McQuire was invited to a seat within the bar of the Senate

S B Senate bill No. 144 Entitled "an act to amend
No 144 Section 7 and to repeal Section 10 of an act
to provide means for paying the expenses of
the State Government and to retire the outstan-
ding Auditors warrants and Treasurers certificates
approved Dec 23rd 1874" was taken up and read
the second time and on motion of Senator
Haycock referred to the committee on Finance

S B Senate bill No 137 Entitled "a bill for an
No 137 act to be entitled an act to enable the
makers and third persons to avoid usurious
interest or liens" was taken up and read
the second time and on motion of Senator
Wilson referred to the Judiciary committee
The President resumed the chair

S B Senate bill No 143 Entitled "a bill for an
No. 143 act for the relief of Chesley Payne of
Jackson County" was taken up and read
the second time and on motion of Senator
Lipton referred to the committee on State
lands

S B Senate bill No. 145 "a bill to be entitled
No 145 an act to allow J N Headspeth to peddle
without licence" was taken up and read
by title and on motion of Senator Hicks
laid on the Table subject to call

S B Senate bill No 141 Entitled "An act to declare
No 141 trespass upon stock a misdemeanor and
defining the punishment of the same" was
taken up and read the second time
and on motion of Senator Judkins
referred to the committee on Agriculture

S B Senate bill No 140. Entitled "an act to
No 140 amend section 2239 of the Revised Statutes
of Arkansas" was taken up and read the

second time and on motion of Senator Judkins referred to the Judiciary Committee

S B Senate bill No 139 Entitled "A bill to be
No 139 entitled an act to reimburse A.B. Pearce
of Benton County for expenses incurred as
Fish Commissioner of the State of Arkansas"
was taken up and read the second time
and on motion of Senator Bunch referred
to The Committee on Claims

S J R Senate Joint Resolution No. 17. Referring to
No 17 Claims made during Brooks & Baxter troubles
and asking a commission to pass upon
them" was taken up and read the second
time and on motion of Senator Judkins
referred to the committee on Claims

S J M Senate Joint Memorial No. 2, For the improvement
No. 2, of the navigation of the St Francis River" was
taken up and read the second time and
on motion of Senator Crowley referred to
The Committee on Memorials

Senator Hicks moved that The Senate
take a recess till 7 o'clock P.M.

Senator Johnson moved a call of The
Senate when the roll was called and
the following Senators were found to be
present

Messrs Armistead Blackwell Bunch
Campbell Chism Crowley Duffie Ferguson
Hampton Harris Haycock Hicks House
Johnson Judkins Mulkey Norman Pundall
Reagan Sims Sullivan Tobey Williams
Wilson and Mr President = 25

Absent Senators East Kerr Pennington
Stanford Throver and Lepton = 6

A quorum present

Senator Hicks moved to dispense with further proceedings under call of the Senate

Senator Johnson moved that the Senate take a recess until 7 o'clock PM and called for the Ayes and noes. The call was sustained

When the roll was called and the motion to take recess was adopted

Ayes = 13 Noes = 12

The following Senators voted in the affirmative

Messrs Armistead Blackwell Bunch Campbell
Chism Ferguson Haycock Hicks Johnson
Sullivan Tobey Williams and Wilson

Those voting in the negative were messrs
Crowley Duffie Hampton Harris House Judkins
Mulkey Norman Pindall Reagan Sims and
Mr President

Excused from voting Senator Tipton

Absent Senators East Kerr Pennington Stanford
and Thrower = 5

So the Senate took a recess until 7 o'clock PM

After Recess.

The hour of 7 o'clock PM having arrived
the President called the Senate to order

When the roll was called by Secretary
and the following Senators were found to
be present

Messrs ~~Blackwell~~ Bunch Campbell
Chism Crowley Duffie Ferguson Hampton
Harris House Judkins Norman Pindall
Reagan Stanford and Mr President = 15

Absent Senators Armistead Blackwell East
Haycock Hicks Johnson Kerr Mulkey
Pennington Sims Sullivan Thrower Tipton

Lobey Williams and Wilson = 16

No quorum present

On motion of Senator Findall the Senate
adjourned
Approved.

Jacob P. Pollock
Secretary

James K. Jones
President

Senate Chamber Little Rock
Tuesday February 27th 1877

The Senate met pursuant to adjournment at 10 o'clock A M and was called to order by Hon J. K. Jones President of the Senate

The roll was called by The Secretary and the following Senators were found to be present

Messrs Armistead Blackwell Bunch Campbell
Chism Crowley Duffie Ferguson Hampton
Harris Haycock Hicks House Johnson Jenkins
Mulkey Norman Pindall Reagan Sims Stanford
Sullivan Lipton Tobey Williams and Mr
President = 27

Absent Senators East Kerr Pennington and
Thrower = 4

A quorum present

Prayer by Rev R. H. Buchanan Chaplain

The Journal of the preceding day was read approved and signed by The President and Secretary.

The President of the Senate submitted the following for the consideration of the Senate

Little Rock Ark
Febry 27th 1877

Hon J. K. Jones.

President Ark State Senate.

Dear Sir

You and the branch of The Legislature over which you have the honor to preside, and its officers are respectfully invited to visit the Arkansas Penitentiary today on adjournment at noon, to examine the new improvements lately made

and to partake of a lunch.
Conveyances will be in waiting at the
Capitol gate at 12 1/2 o'clock P.M. to take
all out who may desire to go.

Yours very Respectfully

Leab Ward

Lessee Ark. State Penitentiary

S 6 R Senator Lipton submitted Senate Concurrent
No. 17. Resolution No. 17 Referring to adjournment
of The General Assembly"

The Resolution was read the first time and
on motion of Senator Duffie the rules were
suspended and the Resolution was read the
second time and referred to the Judiciary
Committee

On motion of Senator Johnson ~~and~~ R A Howard
was invited to a seat on the floor of
the Senate

Senator Wilson submitted the following
report

Mr President

The committee on claims to
whom was referred Senate bill No 139
Entitled "An act to reimburse A B Pearce of
Beuton County for expenses incurred as Fish
commissioner of the State of Arkansas" have had
the same under consideration and instruct
me to report the same back and recom-
mend that the same do pass

Wilson

Chairman

Senator Norman submitted the following report

Mr President

The committee on the Judiciary
to which was referred Senate bill No. 111
"a bill for an act to amend an act
establishing a Court of Common Pleas

in the Committee therein named approved December 18th 1875" have given it due consideration. I am instructed to return it with the recommendation that it pass.

Respectfully Submitted

Norman

for committee

Senator Crowley was granted time to prepare a minority report

Senator Duffie submitted the following report

Mr President

The committee on the Judiciary to which was referred House bill No. 113. "A bill to be entitled an act providing the manner and before whom minors, females, covert, persons of unsound mind and persons in confinement shall redeem lands sold to the State for non payment of taxes and for other purposes" have given it careful consideration. Herewith return it with the recommendation that it pass

Respectfully Submitted

Duffie

Senator Mulkey submitted the following report

Mr President

Your committee on engrossed bills have had under consideration Senate bills No. 48, 32, and 113 and find them correctly engrossed

Mulkey for committee

Senator Campbell submitted the following report

Mr President

The committee on enrolled bills have examined Senate bill No. 147 and directed me to report the same correctly enrolled. said bill has been signed

by the Speaker of the House and President
of the Senate and delivered to the Governor
for his consideration Feby 26th 1877

John Campbell
Chairman

Senator Williams submitted the following
report

Mr President

The committee on the
Judiciary to which was referred Senate
bill No 116 "An act to amend section
2991 of Chapter 65 of Smiths Digest" have
considered the same.

I am instructed
to return it with the recommendation
that it do not pass

Respectfully Submitted
William of Pulaski
for Committee

On motion of Senator Williams the
report of the committee was adopted

Senator Ferguson submitted the following
report

Mr President

The committee on Agriculture
to whom was referred Senate bill No 141
"An act to declare trespass on stock
a misdemeanor and define the punishment
of the same" has had the same under
consideration and has instructed me to
return the same back to the Senate and
recommend that it pass

A H Ferguson
Chairman

Senator Crowley submitted the following
report

Mr President

The committee on the
Judiciary to which was referred Senate
bill No. 136 "An act to amend section
4129 of The Revised Statutes of The State
of Arkansas" have given it due

consideration.

I am instructed to return it with the recommendation that it pass

Respectfully submitted
Crowley of Green

Senator Wilson submitted the following report

Mr President

The committee on Claims to whom was referred Senate Resolution No. 17 have considered the same and a majority of the committee instruct me to report the same back and recommend that the Senate do not adopt the resolution.

Wilson

Chairman

On motion of Senator Hicks the report of the committee was adopted

Senator Wilson submitted the following report

Mr President

The committee on Claims to whom was referred the account of Arkansas Gazette for Printing, have considered the same and the committee instruct me to report the same back and recommend that the account be referred to the committee on Printing. The account is herewith returned

Wilson

Chairman

On motion of Senator Kerr the report of the committee was adopted and the account was referred to the committee on Printing

Senator House submitted the following report

Mr President

Your committee on Education to which was referred Senate bill No. 129. A bill for an act to authorize the commissioner of State lands to sell the property known as The Arkansas Institute for the blind in Arkadelphia Clark County Arkansas. Also House bill No. 178 an act to provide for refunding to counties the school funds which have been erroneously apportioned to other counties" have had the same under consideration and I am instructed to report the same back with a recommendation that they pass

Respectfully Submitted

Mr House
Chairman

Senator Johnson submitted the following report

Mr President

Your committee to whom was referred a memorial from the "Ladies Benevolent Association" have had the same under consideration and beg leave to offer the following bill

Johnson
for Committee.

S. B. No. 154. The bill was read the first time and on motion of Senator Williams the rules were suspended and the bill was read the second time and on motion of Senator Norman referred to the Finance Committee.

Senator Norman submitted the following report

Mr President

The committee on the Judiciary to which was referred Senate bill No 43" an act to prevent the granting of free passes to any officer of this State by any Rail Road or transportation

Company" have given it careful consideration and have made the following amendment thereto to wit:

Amend Section 1. by adding at the close of it the words "with the intent to influence or control the vote or official conduct of such officer"

In section 2 line 8 after the word "Company" add the words "with the intent set forth in the first section"

And further amend section three by adding after the word "State" in line 6 - the words "if given with the intent set forth in the first section"

The bill as amended is recommended on its passage

Respectfully &c

Norman for Committee

The amendment was read the first time and on motion of Senator Norman the rules were suspended and the amendment was read the second time

Senator Norman moved that the amendment be adopted

Senator Findall moved that the bill and amendment be made special order for tomorrow at 11 O'clock

The motion was put by the President and lost

At 11 O'clock the President announced Special Order. The Consideration of Senate bill No. 124 in Committee of the whole

The Senate thereupon resolved itself into Committee of the whole Senator Williams in the chair.

At 11-10 A.M. the committee arose and through its chairman Senator Williams reported the bill back and asked to be discharged from the further consideration of the same

On motion The report of the committee was adopted

Senator Hicks moved to suspend the rules and take up bills on Third reading

The motion was put and lost and the Senate refused to suspend the rules

The question recurring on the motion of Senator Norman to adopt the amendment to Senate bill No. 43.

Senator House called for the Ayes and Noes. The call was sustained.

When the roll was called and the amendment adopted

Ayes = 15 Noes = 13

The following Senators voted in the affirmative

Messrs Crowley Duffie Ferguson Harris Haycock Johnson Judkins Mulkey Norman Reagan Stanford Sullivan Wilson Williams and Mr President

Those voting in the negative were Messrs Armistead Blackwell Bunch Campbell Chism Hampton Hicks House Kerr Fiddall Sims Lipton and Lobing

Absent Senators East Pennington and Throver

A message was received from the House of Representatives by assistant clerk Holland as follows

Hall House of Representatives
Febry 27th 1877

Mr President

I am instructed by the House of Representatives to inform your honorable body of the passage by the House of House Concurrent Resolution No 8 providing

for a joint session of the General Assembly to elect two Trustees of the Arkansas Industrial University to fill vacancies"

Also the passage of House bill No. 44 entitled "an act entitled an act to amend an act entitled an act providing a general election law"

Also the passage of Senate bill No. 34, entitled "a bill to be entitled an act to amend Section 4287 of Smith's Digest;

Also the concurrence by the House in Senate amendments to House bill No. 26, entitled "An act entitled an act to repeal an act creating Courts of Common Pleas in Faulkner County" all of which is herewith Respectfully transmitted

Thomas W. Newton
Clerk

Senator Norman submitted the following report

Mr President

The committee on Rail Roads and other internal improvements to which Senate bill No. 146 An act to allow County Courts to grant license to peddle in certain cases was referred, have had the same under consideration and have directed me to report the same back to the Senate with the following amendment, by adding to Section 1st at the close thereof "provided said applicant shall make oath before said clerk that said license to peddle is procured for his own personal benefit and that he is not employed or engaged in said business as the agent or employee of another person" and when thus amended that the bill be referred to the committee on Finance

Norman

for the committee

The amendment was read the first time and on motion of Senator Norman the rules were suspended and the amendment

was read the second time and adopted
and on motion of Senator Norman
the report of the committee was adopted.

Senator Ferguson submitted the following
report

Mr President
The committee on
corporations has had Senate bill No 133
under consideration "A bill to be entitled
an act to amend Sections 12, 17 and 49
of an act entitled an act to be entitled
an act for the incorporation or government
of municipal corporations" and a majority
of the same has instructed me to report
the same back to the Senate and
recommend that it do pass

A H Ferguson
for the Committee

Senator Duffie submitted the following
report

Mr President
The committee on the
Judiciary to which was referred Senate
bill No. 151 "An act to amend Section 2
of the schedule of the Constitution of 1874
have had the same under consideration.

I am instructed to return it with
the recommendation that it do not pass

Respectfully &c

Duffie
for Committee

On motion of Senator Williams the
report of the committee was adopted

Senator Norman submitted the following
report

Mr President
The committee on
Elections to which Senate bill No. 99.

"A bill for an act to provide for the election of a Chief of Police in Cities and incorporated towns" was referred have had the same under consideration and have directed me to report the same back to the Senate with a recommendation that it lie on the table

Norman

for Committee

On motion. The report of The Committee was adopted

Senator Bunch submitted the following report

Mr President

Your committee on Rail Roads and other Internal Improvements to which was referred Senate bill No. 138. Entitled "An act to provide a general system of Rail Road Laws for this State" have had the same under consideration and recommend the following amendments viz insert between Sections 25 and 26 the following.

"Section — Every Rail Road company and every Officer, agent or employee of any Rail Road Company who shall wilfully neglect to make and furnish any report required in this act at the time herein required, or who shall wilfully and unlawfully hinder, delay, or obstruct said Commissioners in the discharge of the duties hereby imposed upon them, shall forfeit and pay a sum of not less than one hundred nor more than five thousand dollars for each offence, to be recovered in action of debt in the name of the State of Arkansas, and every Railroad company, and every officer, lessee, manager or agent or employee of any such Rail Road company, shall be liable to a like penalty for every period of ten days it shall wilfully neglect or refuse to make such report"

Also by inserting after the word "shall" in 17th line 47th Section the word "fail"

Also in Section 50 in fourth

line after the figures "1874" insert the words "the Third Section of" and as thus amended your committee recommend the passage of the bill

Bunch
Chairman

The amendment was read the first time and on motion of Senator Norman the rules were suspended and the amendment was read the second time and adopted

Senator Williams moved that the bill be made the special order for tomorrow at 11 o'clock A.M.

The motion was put by the President and lost

A message was received from the Governor by Mr Goblin his private Secretary as follows.

State of Arkansas
Executive Office
Little Rock Feb 27th 1877

To the President of the Senate

Mr President

I have approved and signed the following named bills

Senate bill No. 147. An act to provide for the filling of vacancies in office during the interval between the occurrence of a vacancy and the announcement of the result of a special election"

Senate bill No 41 "an act to provide for the election of a Physician to the Penitentiary and to define his duties"

NR Miller
Governor

State of Arkansas
Executive Office
Little Rock Feby 27th 1877

To The President of the Senate
And Members thereof
Gentlemen

I respectfully submit for your confirmation the names of Dr F O Hooper Dr R H Jennings and Dr Thomas R Welch as Trustees of The Arkansas State Lunatic Asylum to succeed Dr F O Hooper Dr R H Jennings and Dr Geo W Weeks whose terms of office will shortly expire, and also the name of Hon A P Hughes to fill the vacancy in said board of Trustees occasioned by the removal of J T Izegant Jr beyond the limits of the State

Very Respectfully
W R Miller
Governor of Arkansas

Senator Johnson submitted the following report

Mr President

The committee on the Judiciary to which was referred Senate bill No 75 "an act to make valid jurors and witnesses certificates" have had the same under consideration.

I am instructed to return it with the recommendation that it pass

Respectfully Submitted
Johnson

On motion of Senator Williams the rules were suspended for the purpose of taking up Senate bill No. 75

S B No 75 The bill was read for information when on motion of Senator Williams it was amended by striking out the words "and witnesses" whenever they occur in the bill

The bill was then read the third time. when the question was

Shall the bill pass? which was decided in the affirmative

Ayes = 22 Noes = 6

The following Senators voted in the affirmative

Messrs Armistead Blackwell
Bunch Campbell Chism Browley Duffie
Ferguson Hampton Harris Haycock House
Johnson Kerr Mulkey Puddall Sims
Stanford Sullivan Tobey Williams and
Wilson

Those voting in the negative were messrs
Hicks Judkins Norman Reagan Tipton
and Mr President

Absent Messrs East Pennington and
Thrower = 3

So the bill passed

The title of the bill was read and adopted

Senator Reagan was called to the chair

Senator Judkins submitted the following report

Mr President The committee on the
Judiciary to which was referred Senate
bill No. 127 "An act to amend the
act providing for the approval of
official bonds of township and County
Officers approved March 1st 1875"
have considered the same.

I am instructed to return it with
the recommendation that it do not
pass

Respectfully Submitted
JB Judkins for, Com.

On motion of Senator Judkins the report of the committee was adopted

Senator Norman submitted the following report

Mr President
The Committee on Elections to which Senate bill No 55 "an act to repeal Sections 76, 77, 78, 79 and 80 of an act providing a general Election law approved January 23^d 1875" was referred have had the same under consideration and have directed me to report the same back and recommend that it do not pass
Norman
for Committee.

On motion of Senator Williams the report of the committee was adopted

The President resumed the Chair.

Senator Johnson submitted the following report

Mr President
Your committee to whom was referred Senate Joint Memorial No. 2 have had the same under consideration and report the same back and recommend that the same do pass
Johnson
for Committee

SJM No. 2. On motion of Senator Johnson the rules were suspended and Senate Joint Memorial No. 2 "A memorial for the improvement of the navigation of the St Francis River" was taken up and being read the third time the question was

Shall the Memorial pass?
which was
decided in the affirmative
Ayes = 25 Nays = 0

The following Senators voted in the affirmative

Messrs Armistead Blackwell Bunch
Campbell Chism Crowley Duffie Ferguson
Hampton Harris Haycock House Johnson
Kerr Mulkey Norman Pindall Reagan Sims
Sullivan Tipton Tobey Williams Wilson
and Mr President

In the negative none

Absent Messrs East Hicks Judkins
Pennington Stanford and Throver = 6

So the Memorial passed.

The title of The memorial was read and adopted

On motion of Senator Johnson the rules were suspended and the Secretary was instructed to report The Memorial to the House of Representatives at once

Senator Tipton submitted the following report

Mr President

Your committee on Engrossed bills to which was referred Senate bill No. 155. have considered the same and find it correctly engrossed

Respectfully Submitted
Tipton

On motion of Senator Pindall the rules were suspended and

S 13
No 155

Senate bill No 155 Entitled "an act dividing the State into Thirteen Judicial Circuits fixing the time of holding Courts and fixing the Salaries of Judges of Circuit Courts" was taken up and being read the third time the question was

Shall the bill pass?

~~to which was decided in the affirmative~~

Senator Johnson moved to adjourn.

The motion was put and lost and the Senate refused to adjourn.

After some discussion of the bill Senator Duffie renewed the motion to adjourn.

The motion was put and lost and the Senate again refused to adjourn.

After further discussion Senator Norman moved the previous question.

When the question was shall the main question be now put which was decided in the affirmative.

And the question then was shall the bill pass, which was decided in the affirmative.

Ayes = 20 Noes = 8

The following Senators voted in the affirmative

Messrs Armistead Blackwell
Bunch Chism Browley Ferguson Harris
Hicks House Jenkins Kerr Mulkey Norman
Pindall Reagan Sims Sullivan Tipton Williams
+ Wilson

Those voting in the negative were Messrs Campbell Duffie Hampton Haycock Johnson Stanford Tobey and Mr President

Absent Messrs East Pennington and Throver = 3

So the bill passed

The title of the bill was read and adopted

On motion of Senator Pindall the rules

were suspended and the Secretary
was directed to report the bill to the
House of Representatives at once

On motion of Senator Williams the
Senate adjourned
Approved

Jacob Frolich

Secretary

James H. Jones
President

Senate Chamber Little Rock
Wednesday February 28th 1877

The Senate met pursuant to adjournment at 10 o'clock A.M. and was called to order by Hon J K Jones President of the Senate

The roll was called by the Secretary and the following Senators were found to be present.

Messrs Armistead Blackwell Bunch Campbell
Chism Crowley Daffie Ferguson Hamblin Harris
Haycock Hicks House Johnson Judkins Kerr
Mulkey Norman Pindall Reagan Sims Stanford
Sullivan Tipton Tobey Williams Wilson and
Mr President = 28

Absent Senators East Pennington and Throver = 3

A quorum present

Prayer by Rev J H Buchanan Chaplain

The Journal of the preceding day was read approved and signed by the President and Secretary

On motion of Senator Haycock Col B D Williams was invited to a seat within the bar of the Senate

A message was received from the House of Representatives by assistant clerk Holland as follows

Hall House of Representatives
Febry 27th 1877

Mr President

I am instructed by the House of Representatives to inform your honorable body of the passage by the House of House bill No 97 entitled "An act requiring the Attorney General of the State of Arkansas to record one opinion which he may be called upon to give on any particular point"

Also of the passage by the House of House bill No. 66. Entitled "an act to repeal an act entitled an act to licence and regulate the trading on navigable streams of this State and for other purposes"

Also of the passage by the House of House bill No. 1. Entitled "an act to regulate the filling of vacancies in office in certain cases and to define the same"

Also of the passage by the House of Senate bill No. 13 Entitled "an act to prevent the driving of stock out of their usual range by persons not owning or entitled to control the same"

and herewith respectfully
transmit the same
Thomas W Newton
Clerk

Senator Chism presented the petition of Citizens of Logan County in reference to charges made by Rail Road Companies for the transportation of freight &c.

The petition was read by the Secretary and on motion of Senator Chism referred to the Committee on Rail Roads and other internal improvements.

Senator Wilson submitted the following report

Mr President

The committee on Claims to whom was referred the Memorial of Weldon E Wright have considered the same and for the want of data upon which to recommend any thing, have instructed me to report the same back without recommendation

The Memorial is herewith returned

Wilson

Chairman

On motion of Senator Hicks the memorial was laid on the table

Senator Wilson submitted the following report

Mr President

The committee on Claims to whom was referred Senate bill No 148, for an appropriation of \$500. for John H. Stacey for services as architect, have considered the same and I am instructed to report the bill back and recommend that it lie on the table indefinitely.

The bill and accompanying papers are herewith returned

Wilson

Chairman.

On motion of Senator Hicks the report of the committee was adopted

Senator Kerr submitted the following report

Mr President

The committee on Finance to which was referred Senate Joint Resolutions 14 and 16 referring to settlement of the indebtedness of the State have instructed me to return the same without recommendation.

Respectfully Submitted

R Y Kerr

for Committee

Senator Judkins submitted the following report

Mr President

Your committee to which was referred Senate bill No. 142 "An act to amend an act entitled an act to provide for an account of fees and emoluments of office" have had the same under consideration and have instructed me to report the same with the recommendation that it do pass.

Respectfully Submitted
 J. B. Jenkins
 Chairman Committee
 on Auditors & Treas Books

Senator Pindall submitted the following report

Mr President

The committee on Finance to which was re-committed Senate bill No. 97 "A bill to be entitled an act to change the Revenue laws" have instructed me to return it with the recommendation that it lie on the table

Respectfully Submitted
 X J Pindall
 for Committee

On motion of Senator Pindall the report of the committee was adopted

Senator Sims submitted the following report

Mr President

The committee on Finance to which was referred House bill No. 6. "An act to reduce taxes" have considered the same and have made the following amendments thereto to wit: Amend Section 2 by striking out in lines 16 & 17 after the words "public schools" the words "one and one half" and insert in lieu thereof the word "two" and further amend by inserting after the word "three" in line 15 same section the words "and one half" The bill as amended is recommended on its passage

Respectfully Submitted
 L H Sims
 for Com.

The amendment was read the first time and on motion of Senator Pindall the rules were suspended and the amendment was read the second time.

Senator Pindall moved that the amendments be adopted

Senator Kerr moved that the bill and the proposed amendments be referred to a committee of the whole and that the Senate now resolve itself into committee of the whole for the consideration of the same

The motion was put by the President and lost and the Senate refused to commit the bill

On motion of Senator House the question on the adoption of the amendments was divided

When the question ^{was} put on the proposition to strike out the words "one and one half" and insert the word "two" and the amendment was adopted.

The question was then put on the proposition to insert after the word "three" the words "and one half" and the amendment was adopted

Senator Judkins moved to amend the bill by inserting at the end of fourth section the following "and upon his failure so to do on demand he shall be liable on his official bond in a sum equal to double the amount found to be due by him to any taxpayer, to be recovered by suit by the party interested before any Court of competent jurisdiction, and the receipt of such collector shall be sufficient ^{evidence} in such cases.

The amendment was read the first time and on motion of Senator Williams the rules were suspended and the amendment was read the second time and adopted

On motion of Senator Williams House bill No. 6 was made the special order for tomorrow at 11 o'clock

Senator Campbell submitted the following report

Mr President

The committee on Enrolled bills have examined Senate bill No. 34 and directed me to report the same correctly enrolled: said bill has been signed by the Speaker of the House The President of the Senate and delivered to the Governor for his consideration This 28th February 1877

John Campbell
Chairman

Senator Mulkey submitted the following report

Mr President

Your committee on County and County lines have had under consideration House bill No. 128 and a majority of the committee recommend its passage

Mulkey,
for Majority of Com.

Senator Hicks submitted minority report as follows.

Mr President

Your committee on County and County lines have had under consideration House bill No. 128 entitled an act to create two judicial Districts in the County of Conway" and the undersigned a minority of your committee beg leave to submit the following reasons why the bill should not pass to wit:

First. That it is inaugurating a system that will not only be burdensome to the Counties, but it will entail a large amount of unnecessary labor upon the judiciary, which in the sequel will prove very expensive to the State and Counties.

Secondly. That it will not produce a good feeling among the people, that

division and strife will be engendered in the County, and the community of good feeling that ought to exist in every County will be destroyed.

Thirdly— It is of doubtful constitutionality to say the least of it. Article 15 Section 3 provides that no County seat shall be established or changed without the consent of a majority of the qualified voters of the County to be affected by such change.

In the opinion of the minority there is but one way to obtain the opinion of the voters, and that is by an election.

The section provides that the Legislature may locate the County seat temporarily in new Counties.

Fourth. Section 4 same article provides that no line shall run within ten miles of the County seat proposed to be divided.

Can the Legislature establish a County seat within less than ten miles of the line?

Fifth— Same article Section 5 provides that Sebastian County may have two Districts and two County seats. This provision in the opinion of your minority excludes all other Counties from having two County seats.

Where a thing is permitted to one County specifically by name it rejects it to all others, is a rule of construction of Constitutional provisions so well established that your committee will not attempt to discuss it in this report.

Sixth.— The Legislature has no power to locate County seats. If it cannot change or locate a County seat can it establish a second one? If the Constitution permits more than one County seat in a County should the question not be submitted to the people at an election held for that purpose?

Seventh. — One of the reasons^{given} why a County seat should be established at Springfield is that a large number of the people residing in Faulkner and Van Buren Counties will petition the next Legislature to be segregated from those Counties and attached to Conway.

Eighth. — If the County seat should be removed from Lewisburg a large number of people would ask to be stricken off of Conway and attached to Perry County.

Now your minority is of the opinion that the Legislature should not become a party to the intended mutilation of the surrounding Counties.

From the foregoing premises the minority is of the opinion the policy of establishing more than one County seat in a County if it be constitutional is unwise, impolitic and detrimental to the best interests of the Counties and State.

If the Legislature can establish more than one County seat in a County it can establish them in every township or neighborhood, and we know not where the evil would lead to.

Therefore the minority of your committee recommend that the bill do not pass.

W F Hicks
A. L. Stanford

Senator Hicks moved that the minority report be adopted.

The motion was put by the President and lost and the Senate refused to adopt the report of the minority.

Senator House was called to the chair.

On motion of Senator Campbell the rules were suspended for the purpose of

taking up House bill No. 128 Entitled "an act to create two judicial districts in the County of Conway"

H.B. The bill was taken up and being read No. 128. The third time the question was on the passage of the bill, which was decided in the affirmative

Ayes = 17 Nays = 7

The following Senators voted in the affirmative

Messrs Armistead Burch Campbell
Browley Hampton Harris Haycock House
Johnson Judkins Kerr Mulkey Norman
Reagan Sims Sullivan and Lobey

Those voting in the negative were Messrs
Chism Duffie Ferguson Hicks Tipton Williams
and Wilson

Absent Senators Blackwell East Pennington
Pendall Stanford Thrower and Mr President = 7

So the bill passed

The title of the bill was read and adopted

Senator Duffie submitted the following report

Mr President

Your committee on State lands to which was referred Senate bill No 143 "A bill for an act for the relief of Chesley Payne of Jackson County" have considered the same and I am instructed to report the same back and recommend its passage

Respectfully Submitted

M M Duffie

Chairman Com.

Senator Hicks submitted the following report

Mr President

Your committee on Printing have had under consideration the bill of the Arkansas Gazette and beg leave to report that W D Blocher has made an affidavit that the account is just and correct, that the articles were furnished and that the prices charged are in accordance with the price paid by the House of Representatives for similar work (under contract) therefore your committee recommend that the claim be paid out of the contingent fund for legislative expenses.

Respectfully Submitted
Hicks
Chairman

Senator Hicks moved to adopt the report objection being made The claim was on motion of Senator Hicks referred to a select committee to be composed of three Senators.

Senator Crowley submitted a minority report as follows.

Mr President

A minority of the committee on the Judiciary to which was referred Senate bill No 111. "A bill for an act to amend an act establishing a Court of Common Pleas in the Counties therein named approved Dec 14th 1875" beg leave to differ from the majority and ask that the following Counties be exempt from the bill, viz.

Green Clay Craighead Randolph Lawrence and Sharp" all of which is respectfully submitted

Judkins of Lawrence &
Crowley of Green
for Minority

On motion of Senator Duffie the minority report was laid on the table subject to call
 Senator Lipton submitted the following report

Mr President

The committee on Finance to which was referred Senate bill No 144 "An act to amend Section 7 and to repeal Section 10 of an act to provide means for paying the expenses of the State Government and to retire the outstanding Auditors Warrants and Treasurers certificates approved Dec 23^d 1874" have had the same under consideration.

I am instructed to return it with the recommendation that it pass

Respectfully Submitted
 Lipton
 for Committee

S. P. On motion of Senator Judkins the rules were suspended for the purpose of taking up Senate bill No 144 Entitled "An act to amend Section 7 and to repeal Section 10 of an act to provide means for paying the expenses of the State Government and to retire the outstanding Auditors warrants and Treasurers certificates approved Dec 23^d 1874"

The bill was taken up and having been read for information was on motion read the third time.

On motion of Senator Williams the vote by which the bill was placed upon its third reading was reconsidered

Senator Hicks moved to postpone further consideration of the bill till tomorrow at 11 1/2 o'clock

The motion was put by The President

and lost and the Senate refused to postpone until tomorrow

On motion of Senator Johnson How Ben Askew was invited to a seat within the bar of the Senate

Senator Norman moved that the Senate do now adjourn.

The motion was put and lost and the Senate refused to adjourn

On motion of Senator Duffie the Senate took a recess until 7 1/2 o'clock P.M.

After Recess.

The hour of 7 1/2 o'clock having arrived the President called the Senate to order

When the roll was called and the following Senators were found to be present.

Messrs Armistead Blackwell Bunch Campbell
Chism Crowley Duffie Ferguson Hampton
Harris Haycock Hicks Johnson Judkins
Kerr Mulkey Norman Pindall Reagan
Sims Sullivan Tipton Tobey Williams
Wilson and Mr President = 26

Absent Senators East House Pennington
Stanford and Throver = 5

A quorum present

S B. On motion of Senator Bunch the rules
128 were suspended and Senate bill No 128
was taken up and recommended to
the Committee on Rail Roads and other
internal improvements

On motion of Senator Pindall Senate bill No. 144 was made the special order for tomorrow at 11 1/2 o'clock A.M.

S B No 48 On motion of Senator Wilson the rules were suspended for the purpose of taking up Senate bill No 48 Entitled "an act for paying balance due for erecting the Arkansas Industrial University building"

The bill was taken up and being read the third time the question was

Shall the bill pass?
which was decided in the affirmative

Ayes = 17 Noes = 8

The following Senators voted in the affirmative

Messrs Armistead Bunch Campbell
Chism Crowley Hampton Haycock Kerr
Mulkey Pindall Reagan Sims Sullivan
Tipton Lobey Williams & Wilson

Those voting in the negative were Messrs
Blackwell Duffie Ferguson Harris Hicks
Judkins Norman and Mr President

Absent Senators East House Johnson
Pennington Stanford and Throver = 6
So the bill passed

The title of the bill was read and adopted.

H. B. No. 72 On motion of Senator Haycock the rules were suspended for the purpose of taking up House bill No. 72. Entitled "An act to provide for improving the streets and alleys and public grounds of Cities of the second class in this State"

The bill was taken up and being read the third time the question was

Shall the bill pass?
which was decided in the affirmative

Ayes = 23 Noes = 2.

The following Senators voted in the affirmative

Messrs Armistead Blackwell Bunch
Campbell Crowley Duffie Ferguson Harris
Haycock Johnson Judkins Kerr Mulkey
Norman Purdall Reagan Sims Sullivan
Tipton Tobey Williams Wilson and
Mr President

Those voting in the negative were Messrs
Chism and Hicks

Absent Senators East Hampton House
Punington Stanford and Throver = 6

So the bill passed

The title of the bill was read and adopted

On motion of Senator Johnson the
S.B. rules were suspended for the purpose
No. 32. of taking up Senate bill No 32 Entitled
"An act for the relief of J. L. Griffin & Son"

The bill was taken up and being read
the third time the question was

Shall the bill pass? which was deci-
ded in the affirmative

Ayes = 17 Noes = 8

The following Senators voted in the affirmative

Messrs Armistead Blackwell
Bunch Campbell Chism Crowley Harris
Haycock Johnson Kerr Mulkey Purdall
Sullivan Tipton Tobey Williams and
Wilson

Those voting in the negative were
Messrs Duffie Ferguson Hicks Judkins
Norman Reagan Sims & Mr President

Absent Senators East Hampton House Punnington
Stanford and Throver = 6

So the bill passed

The title of the bill was read and adopted

Senator Ferguson moved to suspend the rules
and take up senate bill No 114.

The motion was put and lost and the
Senate refused to suspend the rules.

Senator Johnson moved to suspend the
rules and take up Senate bill No. 129

The motion was put and lost and the
Senate refused to suspend the rules

Senator Duffie moved to adjourn till
9 1/2 @'clock tomorrow morning.

The motion was put and lost and the
Senate refused to adjourn.

Senator Williams moved to adjourn till
9 @'clock tomorrow

Senator Hicks called for the Ayes and noes
the call was sustained.

When the roll
was called and the motion adopted

Ayes = 17 Noes = 8

The following Senators voted in the affir-
mative

Messrs Armistead Blackwell Bunch
Campbell Chism Ferguson Harris Johnson
Jenkins Kerr Pindall Reagan Sims
Sullivan Williams Wilson and Mr President

Those voting in the negative were Messrs
Crowley Duffie Haycock Hicks Mulkey Storman

Lipton and Lober

Absent Senators East Hampton House Pennington
Stanford and Throver = 6

So the Senate adjourned until 9 o'clock
tomorrow morning

Approved

Jacob Frolich
Secretary

Lance K. Jones
President.

Senate Chamber Little Rock
Thursday March 1st 1877

The Senate met pursuant to adjournment at 9 O'clock A.M. and was called to order by Hon J K Jones President of the Senate

The roll was called and the following Senators were ~~found~~ to be present.

Messrs. Amos Blackwell
Bunch Campbell Chism Crowley Duffie Ferguson
Hampton Harris Hicks House Johnson Kerr
Mulkey Norman Reagan Sims Sullivan Lipton
Williams and Mr President = 22

Absent Senators East Haycock Jenkins
Pennington Pindall Stanford Thrower Tobey
and Wilson = 9

A quorum present

The Journal of the preceding day was read approved and signed by the President and Secretary

The President announced as select committee to examine the account of the Arkansas Gazette for printing. Senators Hampton Williams and Wilson

The President of the Senate submitted the following statement from the Auditor of State

Office Auditor of State
Little Rock Ark Feby 28th 1877

Hon. J K Jones
President of the Senate

Sir

In obedience to a resolution of your honorable body I have the honor to submit herewith an estimate of the several amounts required to pay the expenses

The State Government for two years.

Very Respectfully

Your obt. Svt.

John Crawford
Auditor of State

Estimate of the several amounts required
to pay the expenses of the State Government for
two years.

First For per diem and mileage of members and
officers of the General assembly and the
Contingent expenses thereof \$40,000.00

Second Salaries of Judges of the Supreme, circuit
and Chancery Courts 40,500.00

Third Salaries of special Judges of the Supreme
and circuit courts 14,000.00

Fourth Salaries of Prosecuting attorneys and
Prosecuting attorneys Pro tem 12,000.00

5th Salaries of clerk and reporter of the
Supreme Court 3,200.00

6th To pay costs and expenses of the prosecution
of suits in Chancery for the foreclosure of
mortgages executed to the Real Estate
Bank, and of other suits in said court
on behalf of the State 1,000.00

7th For contingent expenses of the Supreme Court 3,500.00

8th Contingent expenses of the Pulaski
Chancery Court 4,000.00

9th For Salary of the Governor
Secretary of State, Auditor, Treasurer, Attorney
General, Commissioner of State Lands and
Superintendent of Public Instruction 32,600.00

10th For Clerk hire and contingent expenses
of the Auditors office 12,880.00

11th Clerk hire and contingent expenses of the
Treasurers office 12,380.00

12th Clerk hire and contingent expenses of the
office of Secretary of State 6,950.00

13th Clerk hire and contingent expenses of
the office of Commissioner of State
Lands 14,000.00

14th Salaries and contingent expenses of the
office of Superintendent of Public
Instruction 3,270.00

13th Salaries and contingent expenses in the
Governors office \$43,280.00

16th Postage and Stationery for the various
departments of State \$1,200.00

17th Fuel and lights for the State offices and
the General Assembly \$6,500.00

18 To pay Sheriff and his guards for
conveying convicts to the Penitentiary \$30,000.00

19th For rent of the Governor's Mansion \$2,400.00

20 For rent of office, clerk hire and contingent
expenses of the Attorney General \$3,620.00

21st Care and repairs of the capitol grounds
and buildings \$500.00

22nd Salaries of officers of the State at the
Penitentiary 2,300.00

23rd Printing and distributing blanks, blank books,
statements etc, to ^{clerks} assessors ~~and~~ ^{collectors} of
the various counties of the State \$15,000.00

- 24th For payment of Registers of U.S. Land offices
for furnishing lists of lands subject to taxation
\$ 1000.00
- 25th To pay Secretary of State for expense incurred
in copying the acts of the present General Assembly,
furnishing the same to the printer, reading
proof sheets thereof, and distributing said
acts
\$ 1,000.00
- 26th To pay County clerks for making out and
certifying lists of lands sold to the State
for nonpayment of taxes
\$ 2,500.00
- 27th To pay recorders for recording lists of lands
sold to the State
\$ 2,500.00
- 28th For the expense of advertising and
distribution of documents and other
expenses connected with the subject of
immigration in the office of Commissioner
of State Lands
\$ 4,000.00
- 29th To pay the expenses of the State Board of
visitors to the Arkansas Industrial
University - a sufficient sum, not to
exceed
\$ 2000.00

- 30th For the maintenance of the Capitol Police - a sufficient sum, not to exceed \$5,000.00
- 31st For defraying the expenses of the Militia, a sufficient sum, not to exceed \$40,000.00
- 32^d For all printing to be done by the State \$50,000.00
- 33^d For refunding moneys erroneously paid into the Treasury \$5,000.00
- 34th To supply deficit in payment of contingent expenses of the Supreme Court \$546.08
- 35th To supply deficit in payment of special judges of the Supreme & Circuit Courts \$2,836.00
- 36th To supply deficit in payment of contingent expenses of Pulaski Chancery Court \$4,143.38
- 37th To supply deficit in payment of Sheriffs and their Guards for conveying convicts to the Penitentiary 5,101.57
- 38th To supply deficit in the contingent funds of Gov. Elshan Baxter, other than those of the expenses of the Brooks Baxter War, a

sufficient sum. not to exceed \$3.500.00

39th To supply deficit in the payment of costs and expenses of Suits in Chancery, by the State of Arkansas for the foreclosure of mortgages executed to the Real Estate Bank, of Suits an account of Internal improvement lands, and of suits an account of School lands \$3 496.00

John Crawford
Auditor of State

The whole amount to be appropriated
as above is

\$ 448,505.23

Reduce amt for deficits

19,622.23

428,880

On motion of Senator Hicks The statement was ordered printed and was referred to the Finance Committee

Senator Hicks submitted the following.

Resolved, That the President of the Senate is hereby authorized to certify the pay of members and employees of the Senate up to and including the 8th day of March 1877.

Hicks of Lenoire

On motion of Senator Hicks the resolution was adopted

Senator ~~Smith~~ submitted the following report

Mr President

The committee on the Judiciary to which was referred House bill No 78 "an act to be entitled an act to provide for constructive service in cases of attachment before Justice of the Peace" have again considered the same and have made the following amendment thereto to wit:

Amend section five by adding after the word "that" at the beginning of said section the words "the first clause of" — also strike out the ciphers "4728" and insert between the words "and" and the ciphers "4729" the word "section" all in line 1 section 5.

The passage of the bill as amended is recommended

Respectfully Submitted

~~James D. H.~~
for com

The amendment was read the first time and on motion of Senator Williams the rules were suspended and the amendment was read the second time and adopted

Senator Linn submitted the following report

Mr President

The committee on Finance to which was referred Senate bill No. 146. "an act to be entitled an act to allow County Courts to grant license to peddle in certain cases" have considered the same.

I am instructed to return it with the recommendation that it pass.

Respectfully Submitted

L H Linn

for Committee.

Senator Williams submitted the following report.

Mr President

The committee on the Judiciary to which was referred House bill No 114 "a bill for an act to be entitled an act to suppress the gaming device known as Keno." have given it careful consideration and herewith return it with the recommendation that it do not pass. as present laws are already sufficient aside from objection to the special provisions of the bill.

Williams

for Committee

On motion of Senator Findall the bill and report were laid on the table

On motion of Senator Johnson Hon E A Warren was invited to a seat within the bar of the Senate

Senator Findall submitted the following report

Mr President

The committee on the Judiciary to which was referred House

bill No. 82, "an act to amend sections 2635, 2636, 2637 and 2642 of Health Digest" have considered the same, and herewith return it with the recommendation that it pass.

Respectfully Submitted
X J. Fudell
Chairman

Senator Mulkey submitted the following report.

Mr President

Your committee on County and County lines have had under consideration a Petition from St Francis County for the relief of Robt Perry (marked No. 4.) and recommend that it lie on the table for the want of sufficient notice.

Mulkey
Chairman

On motion of Senator Hicks the report was adopted.

Senator Williams submitted the following report.

Mr President

The committee on the Judiciary to which was referred House bill No. 59, "an act to legalize and make valid certain proceedings in Justice Court in Pulaski County Arkansas" have considered the same.

The committee have instructed me to return it with the recommendation that it pass.

Respectfully Submitted
Williams
for committee

On motion of Senator Williams the rules were suspended for the purpose of taking up House bill No. 59, entitled

H 13 "An act to legalize and make valid certain
No 59 proceedings in Justice Court in Pulaski County
Arkansas"

The bill was taken up and being read the
third time the question was

Shall the bill pass? which was
decided in the affirmative

Ayes = 25 Noes = 1

The following Senators voted in the affir-
mative

Messrs Blackwell Bunch Campbell
Chism Crowley Duffie Ferguson Hampton
Harris Haycock Hicks House Johnson
Jenkins Kerr Mulkey Norman Pindall
Reagan Sims Sullivan Lepton Lobey
Williams and Wilson

voting in the negative was -
Mr. President

Absent Senators Armistead East Pennington
Stanford and Thrower = 5

So the bill passed

The title of the bill was read and adopted

Senator Crowley submitted the following report

Mr. President

The committee on the Judiciary
to which was referred House bill No. 81,
"A bill to be entitled an act to legalize
defective acknowledgments" have considered
the same.

I am instructed to return it
with the recommendation that it pass.

Respectfully &c
Crowley of Green

H B
No 81

On motion of Senator Crowley the rules were suspended and House bill No. 81 "a bill to be entitled an act to legalize defective acknowledgments" was taken up and being read the third time the question was

Shall the bill pass? which was decided in the affirmative

Ayes = 26 Noes = 0

The following Senators voted in the affirmative

Messrs Blackwell Burch Campbell Chism Crowley Duffie Ferguson Hampton Harris Haycock Hicks House Johnson Judkins Kerr Mulkey Norman Pindall Reagan Sims Sullivan Tipton Tobey Williams Wilson and Mr President

In the negative none

Absent Senators Armistead East Pennington Stanford and Throver = 5

So the bill passed

The title of the bill was read and adopted

Senator Wilson answered to his name

Senator Wilson submitted the following report

Mr President

The committee on the Judiciary to which was referred Senate bill No. 156 "A bill to be entitled an act to extend the time for the collection of taxes on the tax books of Monroe County till the first day of July 1877" have given it careful consideration and have instructed

me to return it with the recommendation
that it pass

Respectfully &c
Wilson
for Committee

On motion of Senator Ferguson the
S.B. rules were suspended and Senate bill
No. 156. No. 156 "a bill to be entitled an act to
extend the time for the collection of taxes
on the tax books of Monroe County till
the first day of July 1877" was taken up
and being read the third time the question
was

Shall the bill pass? which was
decided in the affirmative

Ayes = 23. Noes = 2

The following Senators voted in the
affirmative

Messrs Blackwell Burch
Campbell Chism Crowley Duffie Ferguson
Hampton Harris House Johnson Judd
Kerr Mulkey Norman Pindall Reagan
Sims Sullivan Lipton Tobey Williams
and Wilson

Those voting in the negative were Messrs
Hicks and Mr President

Absent. Senators Armistead East Haycock
Pennington Stanford and Throver = 6

So the bill passed

The title of the bill was read and adopted

Senator House submitted the following
report

Mr President
Your committee on
Education to which was referred Senate
bill No. 117 "a bill to prevent the sale

of alcoholic liquors in the town of Eldorado in the County of Union" have had the same under consideration and herewith respectfully return the same without recommendation

Respectfully Submitted

J W House

Chairman

Senator Duffie submitted the following minority report

Mr President

A minority of your committee on the Judiciary to which was referred House bill No. 114 Entitled "An act to suppress the gambling device known as Keno," have been unable to agree with the majority and respectfully recommend the passage of the bill for the following reasons.

The game known as Keno is a gambling device and tends to bring together disorderly persons, promotes immorality and leads to breaches of the peace, and because it is a means of debauching the youth of the nation and draws clerks, apprentices and the unwary from the path of virtue. It is to the young of the country we look to guide it in the future. We legislate not only for ourselves but for our children and the weak and unwary of the land. Let us keep the baby's hand from the fire.

M M Duffie

B H Crowley

L W Norman

On motion of Senator Duffie the bill and reports made special order for 11 O'clock to morrow

Senator Sims submitted the following report.

Mr President

The committee on Federal Relations to which was referred Senate Resolution No. introduced by Senator Loberg have considered the same.

I am instructed by the committee to return it with the recommendation that it pass.

Respectfully Submitted
S H Sims

Chairman

Senator Bunch submitted the following report

Mr President

Your committee on Rail Roads and other internal improvements to which was referred Senate bill No. 128 "an act to fill the vacancy now existing in the board of Rail Road commissioners of this State have had the same under consideration and instructed me to report the same back to the Senate with the recommendation that it do pass.

Bunch

Chairman

S B
128 On motion of Senator Bunch the rules were suspended and Senate bill No 128 "An act to fill the vacancy now existing in the board of Rail Road commissioners of this State" ~~have had the same under consideration and instructed me to report the same back to the~~ was taken up and being read the third time The question was

Shall the bill pass?

which was decided in the affirmative

Ayes = 23 Noes = 1

The following Senators voted in the affirmative

Messrs Blackwell Burch Campbell Chism
Crowley Duffie Hampton Harris Hicks
House Johnson Judkins Mulkey Norman
Purdall Reagan Sims Sullivan Tipton
Lobey Williams Wilson and Mr President

In the negative Senator Kerr

Absent Senators Armistead East
Ferguson Haycock Pennington Stanford
and Throver = 7

So the bill passed

The title of the bill was read and adopted

On motion of Senator Williams the rules
were suspended and the Secretary was
directed to report the bill to the House
of Representatives at once

Senator Mulkey submitted the following
report

Mr President

Your committee on
County and County lines having con-
sidered a petition from Yell County
report it back recommending that it
lie on the table for the reason that
the same subject is incorporated in a
bill now before the Senate

Mulkey

On motion of Senator Chism ^{Chairman} The report
was laid on the table subject to call

Senator Duffie submitted the following
report

Mr President

The committee on the
Judiciary to which was referred
House bill No. 40 "An act to amend
Section 2644 of Gault's Digest" have
considered the same and have made

the following amendment thereto, viz: in section 1. after the word "true" in line 14 add the following "and that said witness is not absent by the procurement, connivance or consent of the party"

The bill as amended is recommended on its passage

Respectfully Submitted
Waffie
for Committee

The amendment was read the first time and on motion of Senator Hicks the rules were suspended and the amendment was read the second time and adopted

Senator Wilson submitted the following report

Mr President
The committee on the Judiciary to which was referred Senate bill No. 137 "a bill for an act entitled an act to enable the makers and third persons to avoid usurious contracts and liens" have given it careful consideration and have instructed me to return it with the recommendation that it pass

Respectfully Submitted
Wilson
for Committee

Senator Judall submitted the following report

Mr President
The committee on the Judiciary to which was referred House bill No. 94 A bill to be entitled "an act to declare the marriage between William J S Knott and Martha Jackson legal and valid, also declaring the marriage of Leiser Livinsky and

Young Maxwell legal and valid" have considered the same.

The committee being of opinion that the General Assembly have no such power as to pass the bill above cited.

I am therefore instructed to return it with the recommendation that it do not pass

Respectfully &c

X J. Findall
Chairman

On motion of Senator Findall the bill and report were laid on the table subject to call

Senator Johnson submitted the following report

Mr President

The committee on the Judiciary to which was referred House bill No. 54. "An act to be entitled an act to amend the attachment laws &c" have considered the same.

I am instructed to return it with the recommendation that it do not pass

Respectfully &c

Johnson for Com

On motion of Senator Duffie the report was adopted

Senator Duffie submitted the following report

Mr President

The committee on the Judiciary to which was referred Senate bill No. 140 "An act to amend Section 2239 of the revised Statutes of Arkansas" have considered the same and herewith return it with the recommendation that it pass. Duffie for Com

Senator Crowley submitted the following report
Mr President

The committee on the judiciary to which was referred H. Bill No. 116. "Bill to be entitled an act for the recovery of purchase money contracted for property in possession of the vendor" have considered the same.

I am instructed to return it with the recommendation that it pass
Crowley of Green

A message was received from the Governor by Gen Jas M Pomeroy as follows

State of Arkansas
Executive Office
Little Rock March 1st 1877

To the President of the Senate
Mr President

I have this day approved and signed Senate Bill No. 13. "An act to prevent the driving of stock out of their usual range by persons not owning or entitled to control the same."

Senate bill No 34 "an act to amend section 4287 of Ninth Digest"

"W. R. Miller
Governor"

Senator Fuddall submitted the following report
Mr President

The committee on the judiciary to which was referred House bill No 55 "an act to amend sections 443 = 4 = 5 = 6 and 7 of Ninth Digest" have considered the same

I am instructed

to return it with the recommendation
that it pass

Respectfully submitted

X J Pindall

Chairman

Senator Campbell submitted the following
report

Mr President

The committee on enrolled
bills have examined Senate bill No. 13
and directed me to report the same
correctly enrolled. said bill has been
signed by the Speaker of the House
the President of the Senate and delivered
to the Governor for his consideration March
1st 1877

John Campbell
Chairman

Senator Johnson submitted the following
report

Mr President

The committee on the
Judiciary to which was referred Senate
bill No. 154 "a bill for an act to amend
an act entitled an act to amend
sections 601 and 602 of Hunt's Digest
and to limit the power of County Courts
and agents to make contracts and
regulate appropriations" have had the
same under consideration.

I am instructed to return it and
recommend that it pass

Respectfully submitted
Johnson
for, Corr.

Senator Wilson submitted the following
report

Mr President

The committee on
Claims to whom was referred the

claim of the legal representative of A A Eddington Dec. late Sheriff and Collector of Hiska County for funds erroneously paid in the Treasury by said late Sheriff have considered the same, and the committee is of opinion that by reference to act of March 5th 1875 it will be seen that the act provides for the relief to which the party in interest may be entitled, and I am instructed to so report.

The papers herewith returned are submitted

Wilson
Chairman

On motion of Senator Wilson the report was adopted.

Leave was granted Senator Firdall to withdraw the papers in the case of the claim of A A Eddington's representative against the State.

Senator Wilson submitted the following report

Mr President

The committee on claims to whom was referred resolution of the Senate instructing the committee to investigate the claim of Alvin Eubanks and Benjamin Gramling and to report by bill or otherwise have had the same under consideration and are of opinion that the claimants are entitled to the sum \$2000. out of the swamp land fund and I am instructed to report to the Senate the bill herewith transmitted and recommend its passage

Wilson
Chairman

S B 160 The bill was read the first time and on motion of Senator Wilson the rules were suspended and the bill was read

the second time and placed on the calendar

Senator Bunch submitted the following report

Mr President

The committee on Finance to which was referred Senate bill No. 159. "A bill to be entitled an act for the benefit of the destitute and friendless afflicted" have had the same under consideration.

The committee not being able to agree have instructed me to return it and respectfully ask that they be discharged from the further consideration of the bill

Respectfully Submitted

Bunch

for Committee

Senator Tobey called up resolution in relation to removal of the portrait of U S Grant from the walls of the Senate Chamber, and moved the adoption of the resolution and on this motion called for the Ayes and Nays. The call was sustained.

When the roll was called and the motion to adopt the resolution was lost

Ayes = 11 Nays = 14

The following Senators voted in the affirmative

Messrs Blackwell Bunch Campbell Duffie Ferguson Johnson Norman Pindall Tobey Williams and Wilson

Those voting in the negative were Messrs Armstrong Chism Hampton Harr Mulkey Reagan Sims Stanford Sullivan Throver Tipton and Mr President

Absent Senators: Crowley East Haycock Judkins
Kerr & Pennington

So the Senate refused to adopt the resolution

S.B. No. 117. On motion of Senator Hampton the rules were suspended and Senate bill No. 117 Entitled "a bill to prevent the sale of alcoholic liquors in the town of Eldorado in the County of Union" was taken up and being read the third time the question was

Shall the bill pass?

which was decided in the affirmative

Ayes = 21 Noes = 7

The following Senators voted in the affirmative

Messrs Armistead Blackwell
Bunch Campbell Chism Crowley Duffie
Ferguson Hampton House Johnson Kerr
Milkey Purdall Sims Stanford Sullivan
Tipton Williams Wilson and W. President

In the negative were Messrs Harris Hicks
Judkins Norman Reagan Throver and
Lobey

Absent Senators East Haycock & Pennington

So the bill passed

The title of the bill was read and adopted

On motion of Senator Haycock the rules were suspended and the Secretary was directed to report the bill to the House of Representatives at once.

S. B.
No. 114. On motion of Senator Ferguson the rules were suspended and Senate bill No. 114 "an act to be entitled an act to legalize an order of the County Court of Monroe County re-adjusting the school Districts of said County" was taken up and being read the third time the question was

Shall the bill pass?

which was decided in the affirmative

Ayes = 27 Noes = 1

The following Senators voted in the affirmative

Messrs Armstrong Blackwell Bunch Campbell Chism Crowley Duffie Ferguson Hampton Harris Haycock Hicks House Johnson Judkins Kerr Mulkey Norman Pindall Reagan Sims Stanford Sullivan Lipton Tobey Williams and Wilson

In the negative Mr President

Absent Senators East Pennington and Throver = 3

So the bill passed

The title of the bill was read and adopted

A message was received from the House of Representatives as follows

Hall House of Representatives
Feb 28th 1877

Mr President

I am instructed by the House of Representatives to inform your honorable body of the passage by the House of House bill No 195 entitled "a bill to be entitled

an act regulating the payment of money by the State Treasurer.

Also of the passage of House bill No 194 entitled "an act to reduce the expenses of conveying convicts to the Penitentiary and herewith respectfully transmit the same

Thomas W Newton
Clerk

S. B. No. 113. On motion of Senator Williams The rules were suspended and Senate bill No. 113 Entitled "An act to authorize the County Court or Judge thereof in vacation to direct the employment of a guard for jail in certain cases and to repeal section 3576 of Hunt's Digest" was taken up and being read the third time the question was

Shall the bill pass?

Which was decided in the affirmative

Ayes = 27 Noes = 0

The following Senators voted in the affirmative

Messrs Armistead Blackwell Bunch Campbell
Whism Crowley Duffie Hampton Harris
Haycock Hicks House Johnson Jenkins
Kerr Mulkey Norman Tindall Reagan
Sims Stanford Sullivan Lipton Lober
Williams Wilson and Mr President

In the negative none

Absent Senators East Ferguson Pennington
and Throver = 4

So the bill passed

The title of the bill was read and adopted on motion of Senator Williams The rules were suspended and the Secretary directed to report bill to House of Representatives at once

S B
161

On motion of Senator Duffie the rules were suspended when Senator Duffie introduced Senate bill No 161 Entitled "A bill for an act to establish a court of Common Pleas in The Counties of Lincoln Wasey Lenoire & Wecha"

The bill was read the first time and on motion of Senator Duffie the rules were further suspended and the bill was read the second time.

On motion the bill was ordered engrossed and made the special order for tomorrow at 11 1/2 o'clock

On motion of Senator Johnson the vote by which the bill was ordered engrossed was reconsidered

Senator Johnson moved to amend the bill by inserting Columbia Lafayette and Miller Counties

The amendment was read the first time the rules were suspended and the amendment was read the second time and adopted and the bill was ordered engrossed and made the special order for tomorrow at 11 1/2 o'clock

H. B.
No 6

At 11 o'clock the President announced the special order. The consideration of House bill No. 6

Senator Kerr was called to the chair

Senator Judkins moved to amend by inserting at the end of line 15 Section 2 the following "The State Board of Finance if it shall be found necessary may levy for the ^{year} 1877 four mills on the dollar to pay interest on the public debt and

upon notice from the board of finance to the clerks they shall cause to be extended on the tax books for 1877 the amount of four mills on the dollar for the payment of interest on the public debt.

The amendment was read the first time and the rules were suspended and the amendment was read the second time.

Senator Pindall moved that the amendment be adopted.

Senator Duffie called for the Ayes and noes, the call was sustained.

When the roll was called and the motion to adopt the amendment was lost.

Ayes = 10 Noes = 16

The following Senators voted in the affirmative.

Messrs Armistead Hampton Jenkins Norman Pindall Sims Sullivan William Wilson and Mr President

In the negative were Messrs Blackwell Bunch Campbell Chism Crowley Duffie Ferguson Harris Hicks House Kerr Mulkey Reagan Stanford Tipton and Luby.

Absent Senators East Haycock Johnson Pennington and Throver = 5

So the Senate refused to adopt the amendment.

Senator Jones moved to amend by striking out the words "three and one half" in line 15 Section 2 and insert in lieu thereof the word "four".

The amendment was read the first time.

the rules were suspended and the amendment was read the second time

Senator Norman moved that the amendment be adopted

Sen Hicks called for the Ayes & Noes. The call was sustained

When the roll was called and the motion adopted

Ayes = 16 Noes = 10

The following Senators voted in the affirmative

Messrs Bunch Campbell Hamilton Harris Johnson Jackson Kerr Mulkey Norman Pindall Reagan Sims Sullivan Williams Wilson and Mr President

In the negative were Messrs Armistead Blackwell Chism Crowley Duffie Ferguson Hicks House Tipton and Lober

Absent Senators East Haycock Purington Stanford and Throver = 5

So the amendment was adopted

On motion the bill was made the special order for tomorrow immediately after the reading of the Journal.

S.B. 144. At 11 1/2 o'clock the special order for the hour being the consideration of Senate bill No. 144 "an act to amend Section 7 and to repeal Section 10 of an act to provide means for paying the expenses of the State Government and to retire the outstanding Auditor warrants and Treasurers Certificates approved Dec 23rd 1874"

The bill was taken up and read for

information.

Senator Hicks moved to amend the bill by striking out the words "eighty five per centum of" in section one

Senator Hicks moved to adopt the amendment

The motion was put and lost and the Senate refused to adopt the amendment

Senator Hicks moved to amend by striking out the proviso in first section

The amendment was read by the Secretary

When Senator Hicks moved that the amendment be adopted

Senator Judkins called for the Ayes and Noes the call was sustained

When the roll was called and the motion to adopt was decided in the negative

Ayes = 14 Noes = 15

The following Senators voted in the affirmative

Messrs Armistead Blackwell
Chism Crowley Hampton Harris Hicks
Johnson Mulkey Norman Sullivan
Thrower Lipton and Mr President

In the negative were Messrs Bunch Campbell
Duffie Ferguson Haycock House Judkins
Kerr Pindall Reagan Sims Stanford
Tobey Williams and Wilson

Absent Senators East and Pennington

So the Senate refused to adopt the amendment

The bill was then, on motion of Senator Pindall read the third time when the question was.

Shall the bill pass?

which was decided in the affirmative

Ayes = 21 Noes = 8

The following Senators voted in the affirmative

Messrs Armistead Bunch Chism
Crowley Duffie Ferguson Hampton Harris
Haycock House Judkins Kerr Pindall Reagan
Sims Stanford Sullivan Tipton Tobey
Williams and Wilson

In the negative were Messrs Blackwell
Campbell Hicks Johnson Mulkey
Norman Thrower and Mr President

Absent Senators East and Pennington = 2

So the bill passed

The title of the bill was read and adopted

On motion of Senator Williams the Secretary was instructed to report the bill to the House of Representatives at once

On motion of Senator Pindall the rules were suspended and

S B
162

Senator Pindall introduced Senate bill No. 162 Entitled "An act to change the time of holding the Circuit Court in Dallas County"

The bill was read the first time and the rules were further suspended and the bill was read the second time and made special order for tomorrow at 10 1/2 o'clock

S B
140

On motion of Senator Judkins the rules were suspended and Senate bill No. 140 Entitled "An act to amend Section 2239 of the revised Statutes of Arkansas" was taken up and being read the third time the question was

Shall the bill pass?

which was decided in the affirmative

Ayes = 24 Noes = 4

The following Senators voted in the affirmative

Messrs. Armistead Blackwell Bunch Campbell Chism Crowley Duffie Harris Haycock Hicks House Johnson Judkins Kerr Mulkey Norman Reagan Sims Stanford Sullivan Tipton Williams Wilson and Mr President

In the negative were Messrs. Ferguson Pundall Thrower and Tobey

Excused from voting Senator Hampton

Absent Senators East and Pennington = 2

So the bill passed

The title of the bill was read and adopted

Senator Hampton moved to adjourn

The motion was put and lost and the Senate refused to adjourn

Senator Hicks moved that the Senate take a recess until 2 1/2 o'clock PM

The motion was put and lost and the Senate refused to take a recess.

Senator Williams moved that the Senate do now adjourn until 9 o'clock tomorrow

On this motion the Ayes and Noes was called. The call was sustained when the roll was called and the motion prevailed.

Ayes = 22 Noes = 6

The following Senators voted in the affirmative

Messrs. Armstrong Blackwell Bunch Campbell Chinn Crowley Duffie Hampton Harris Haycock House Judkins Kerr Norman Gindall Reagan Stanford Sullivan Tobey Williams Wilson and Mr President

In the negative were Messrs Ferguson Hicks Johnson Sims Throver and Tipton.

Absent Senators East Mulkey & Jennings

So the Senate adjourned till tomorrow morning at 9 o'clock
Approved

Joseph F. Polich
Secretary

James K. Jones
President.

Senate Chamber Little Rock
Friday March 2nd 1877

The Senate met pursuant to adjournment at 9 o'clock A.M. and was called to order by the Hon J. K. Jones President of the Senate

The roll was called by the Secretary and the following Senators were found to be present

Messrs. Armstrong Blackwell Burch Campbell
Chism Crookley Ferguson Hampton Harris
Haycock Hicks House Johnson Judkins
Mulkey Norman Pindall Reagan Sims
Sullivan Tipton Tobey Williams Wilson and
Mr President = 25

Absent Senators Duffie East Kerr Pennington
Stanford and Thrower = 6

A quorum present

Prayer by Rev J. H. Buchanan Chaplain

The Journal of the preceding day was read approved and signed by the President and Secretary

On motion of Senator Johnson the Hon. H. H. Royston was invited to a seat within the bar of the Senate.

On motion of Sen Williams Rev W. C. Stout was invited to a seat within the bar of the Senate

H. B. No. 6 The Special order for this hour being the consideration of House bill No 6 "an act to reduce taxes" The bill was taken up and being read the third time the question was Shall the bill pass?

which was decided in the affirmative

Ayes = 24 Noes = 4

The following Senators voted in the affirmative

Messrs Armstrong Beach Crowley Duffie
Ferguson Hampton Harris Haycock Hicks
House Jenkins Kerr Mulkey Norman
Pindall Reagan Sims Stanford Sullivan
Tipton Tobey William Wilson & Mr President

In the negative were Messrs Blackwell
Campbell Chism and Johnson

Absent Senators East Pennington and
Thrower = 3

So the bill passed

The title of the bill was read and adopted

Senator Hicks submitted the following
amendment to the rules.

"The Secretary
shall transmit all bills to the House
on their passage by the Senate, unless
a motion to reconsider shall have been
made."

"Signed"

Hicks of Lenoir

On motion of Senator Hicks the amendment
was adopted.

On motion of Senator House the rules
were suspended and Senate bill No. 138
entitled "A bill for an act entitled an
act to provide a system of Rail Road
laws for this State" was taken up and
being read the third time

S.B.
No. 138.

On motion of Senator Williams the
Secretary was instructed to interpolate
the amendments already adopted in the bill

On motion of Senator Williams the 7th clause of the 23^d section was stricken from the bill.

The question then was upon the passage of the bill which was decided in the affirmative

Ayes = 15 Noes = 8

2 The following Senators voted in the negative

Messrs. Armistead Blackwell Campbell Chism
Crowley Jenkins Pindall and Lipton

Those voting in the affirmative were Messrs
Bunch Ferguson Hampton Harris Haycock
Hicks House Johnson Norman Sims Stanford
Sullivan Williams Wilson and Mr. President

Absent Senators Duffie East Kerr Mulkey
Pennington Reagan Thrower and Loberg = 8

So the bill passed

The title of the bill was read and adopted

S.B. 162 At the hour of 10¹/₂ o'clock under special order Senate bill No. 162. "An act to change the time of holding the circuit court in Dallas County" was taken up and being read the third time the question was

Shall the bill pass?

which was decided in the affirmative

Ayes = 20 Noes = 0

The following Senators voted in the affirmative

Messrs. Armistead Blackwell
Bunch Campbell Chism Crowley Ferguson
Harris Haycock Hicks Johnson Jenkins
Norman Pindall Sullivan Lipton Williams
and Wilson

~~Those~~ voting in the negative were ~~none~~
none.

Absent. Senators Duffie East Hampton
House Kerr Mulkey Pennington Reagan
Stanford Throver Tobey and Mr President

So the bill passed

The title of the bill was read and adopted

S-b-R
No. 18.

Senator Sims submitted Senate Concurrent
Resolution No. 18 "That the Governor and
Secretary of State furnish R W Trimble
with such information as will aid him
in securing information for his History
of Arkansas"

The Resolution was read by the Secretary
and on motion of Senator Sims was
adopted

On motion of Senator Findall the
vote by which the Senate adopted the
report of the Committee on Claims in
reference to the claim of A A Eddington's
estate was reconsidered.

Leave being granted, Senator Findall
again presented the papers in the case
and the claim was referred to the
Committee on claims.

H 13
No 69 On motion of Senator Williams the rules
were suspended and House bill No. 69.
"An act authorizing the County Court of
Pulaski County to equalize and amend the
assessment of real estate in 1876" was
taken up and read the first time and
on motion of Senator Williams the rules
were further suspended and the bill was
read the second time and made the

special order for 11 o'clock tomorrow morning

on motion of Senator Judkins the rules were suspended when

- S B 163 Senator Judkins introduced Senate bill No 163 Entitled "A bill for an act to be entitled an act to authorize the confinement of persons charged with capital offences in the State Penitentiary in certain cases"

The bill was read the first time and on motion of Senator Judkins the rules were suspended and the bill was read the second time and made the special order for 10 1/2 o'clock tomorrow morning

on motion of Senator Bunch the rules were suspended for the purpose of taking up bills on the third reading.

- S B 130 Senate bill No. 130. Entitled "A bill to be entitled an act to change the lines separating the two Judicial Districts of Yell County" was taken up and being read the third time the question was

Shall the bill pass?

which was decided in the affirmative

Ayes = 23 Noes = 0

The following Senators voted in the affirmative

Messrs. Armstrong Blackwell Bunch Campbell Crowley Duffie Ferguson Hampton Harris Hicks Johnson Judkins Kerr Mulkey Norman Reagan Sims Sullivan Tipton Tobey Williams and Wilson

In the negative none.

Absent Senators East Haycock House
Pennington Pindall Stanford Thrower and
Mr President = 8

So the bill passed.

The title of the bill was read and adopted

S B
132

Senate bill No. 132 Entitled "an act to
enable County Courts to vacate or modify
certain judgments" was taken up and
being read the third time when the
question was

Shall the bill pass?

which was decided in the affirmative.

Ayes = 23 Noes = 3

The following Senators voted in the
affirmative

Messrs Bunch Campbell ^{Wofford}
Hampton Harris Hicks House Johnson Judkins
Kerr Mulkey Norman Pindall Reagan Sims
Sullivan Thrower Tipton Tobey Williams
Wilson and Mr President

In the negative were Messrs Blackwell
and Chism

Absent Senator Crowley East Haycock
Pennington and Stanford

Excused from voting Senators Armistead
and Crowley

So the bill passed

The title of the bill was read and adopted

H B
114

House bill No. 114 "An act to be entitled
an act to suppress the gaming device
known as Keno" was taken up and
being read the third time the question was

Shall the bill pass?

Which was decided in the affirmative

Ayes = 16 Noes = 12

The following Senators voted in the affirmative

Messrs. Armstrong Campbell Chism Duffie
Ferguson Hampton Harris Hicks Kerr Mulkey
Norman Sims Stanford Lipton and Mr
President

In the negative were Messrs. Blackwell
Bunch House Johnson Jenkins Pindall Reagan
Sullivan Thrower Tobey Williams and Wilson

Absent Senators East Haycock & Purnington

So the bill passed

The title of the bill was read and adopted

A message was received from the House
of Representatives by assistant Clerk Holland
as follows

Hall House of Representatives
March 25 1877

Mr President

I am instructed by the House
of Representatives to inform your honorable
body of the passage by the House of
Senate bill No. 2. "A bill to be entitled
an act authorizing the change or aban-
donnement of location by Rail Road Corporations

Also of the passage of Senate bill No. 36.
"A bill to be entitled an act to amend the
Revenue laws of the State

Also that the House has concurred in
the first and third amendments by
Senate to House bill No. 6 Entitled "an act

to reduce taxes and has now concurred in the 2nd amendment thereto namely strike out the word three in line 15 same section and insert four and have appointed as a committee of conference Messrs Watson Avera Gardner Rice and Williamson and request that the Senate take immediate action and appoint a like committee of conference on said amendment all of which is respectfully transmitted

Thomas W Newton
Clerk

A message was received from the Governor by Genl Jas. M. Tomeroy as follows

State of Arkansas.
Executive Office
Little Rock March 2^d 1877

To The President of The Senate
Mr President

On the 21st September 1875 The board of Finance under the provisions of section five of the act of the General Assembly entitled "an act to provide means for paying the expenses of the State Government and for other purposes approved Dec 23^d 1874" appointed Messrs Latham Alexander and Company of New York City Financial Agents of this State to receive such compensation as might be provided by law.

No provision has been been made fixing the salary; nor has appropriation been made to pay the same. The matter was presented to The Legislature by Governor Garland and The board of Finance. I have since received the request of the parties herewith communicated for legislative action upon the subject

I would respectfully urge some definite action before adjournment. A copy of the order of appointment of the gentlemen named as agents and of a letter to them from Governor Harland and Col Gordon A Peay two members of the Finance board are herewith communicated

W R Miller
Governor

On motion of Senator Williams the message and accompanying documents were referred to the Finance Committee

On motion of Senator Piddall the message from the House of Representatives was taken up

When Senator Piddall moved that the Senate recede from the amendment to House bill No 6 striking out 3 and inserting four

Senator Williams called for the Ayes & Noes.

When the roll was called and the motion to recede was lost

Ayes = 8 Noes = 19

The following Senators voted in the affirmative

Messrs McKim Crowley Duffie Ferguson Hicks Mulkey Tipton & Tobey

In the negative were Messrs Armistead Blackwell Burch Campbell Hampton Harris House Johnson Judkins Kerr Norman Piddall Sims Stanford Sullivan Thrower Williams Wilson and Mr President

Absent Senators East Haycock Pennington Reagan

So the Senate refused to recede.

Senator Gindall moved that a committee of conference to be composed of five Senators be appointed to confer with like committee on the part of the House of Representatives on the amendment to the bill.

The motion was put and adopted.

On motion of Senator Hampton the President of the Senate was named as one of the committee.

Senator Hicks in the chair announced as conference committee Senators Gindall Jones Williams Bunch and Thrower

S B
129

Senate bill No. 129 entitled "a bill for an act to authorize the Commissioner of State lands to sell the property known as the Arkansas Institute for the blind in Arkadelphia Clark County Arkansas" was taken up and being read the third time the question was

Shall the bill pass?

Which was decided in the affirmative

Ayes = 21 Noes = 5

The following Senators voted in the affirmative

Messrs Blackwell Bunch
Campbell Chism Crowley Duffie
Ferguson Hampton Harris House Johnson
Norman Gindall Reagan Sims Stanford
Sullivan Tipton Williams Wilson
and Mr President

In the negative were Messrs Armistead
Hicks Kerr Thrower and Tobey

Excused from voting Senator Mulkey
Absent Senators East Haycock Jenkins and
Pennington = 4

So the bill passed

The title of the bill was read and adopted

Senator Tipton submitted the following report

Mr President

Your committee on engrossed bills to which was referred Senate bill No 161 Entitled "an act to establish a court of Common Pleas in the Counties of Columbia Lafayette Miller Lincoln Lonoke Dorsey and Desha have carefully examined the same and find it correctly engrossed

Respectfully Submitted

Tipton

Chairman

S B
161

Senate bill No. 161. Entitled "an act to establish a court of Common Pleas in the Counties of Columbia, Lafayette, Miller Lincoln Lonoke Dorsey and Desha" was taken up and being read the third time the question was

Shall the bill pass?

which was decided in the affirmative

Ayes = 25 Noes = 0

The following Senators voted in the affirmative

Messrs Armistead Blackwell Burch Campbell Chism Crowley Duffie Ferguson Harris Hicks House Johnson Jenkins Kerr Mulkey Norman Pindall Reagan Sims Sullivan Tipton Tobey Williams Wilson and Mr President

In the negative none

Excused from voting Senator Hampton

Absent Senators East Haycock Pennington Stanford and Throver = 5

So the bill passed

The title of the bill was read and adopted

The President resumed the chair

H B
178

House bill No. 178 Entitled "an act to provide for refunding to Counties the school funds which have been erroneously apportioned to other Counties" was taken up and being read the third time the question was

Shall the bill pass?

which was decided in the affirmative

Ayes = 23 Noes = 0

The following Senators voted in the affirmative

Messrs Armistead Blackwell
Bunch Campbell Chism Crowley
Ferguson Hampton Harris Hicks House
Johnson Judkins Kerr Mulkey Puddall
Reagan Sims Sullivan Tipton Williams
Wilson and Mr President

In the negative none

Absent Senators Duffie East Haycock
Norman Pennington Stanford Throver
and Lobby = 8

So the bill passed

The title of the bill was read and adopted

H B
94

House bill No. 94. Entitled "A bill to be entitled an act to declare the marriage of William J. Knott and Martha Jackson legal and valid also declaring the marriage between Leicero Linssey and Fanny Maxwell legal and valid" was taken up and being read the

Third time the question was.

Shall the bill pass?

which was decided in the negative

Ayes = 12 Noes = 14

The following Senators voted in the affirmative

Messrs. ^{Armistead} Burch Campbell Ferguson
Hampton Harris House Johnson Norman
Sullivan Tobey and Wilson

In the negative were messrs. Blackwell
Chism Lowrey Duffie Hicks Jenkins
Kerr Mulkey Pindall Sims Stanford
Tipton Williams and Mr. President

Absent Senators East Haycock Pennington
Reagan & Throver = 5

So the Senate refused to pass the bill.

H. B.
#3

House bill No. 113 Entitled "A bill to be
entitled an act providing the manner
and before whom minors, females, persons
of unsound mind and persons in confine-
ment shall redeem lands sold to the State
for the nonpayment of taxes and for
other purposes" was taken up and being
read the third time the question was

Shall the bill pass?

which was decided in the affirmative

Ayes = 22 Noes = 0

The following Senators voted in the affirmative

Messrs. Armistead Burch Campbell
Chism Lowrey Duffie Ferguson Hampton
Hicks House Johnson Jenkins Mulkey
Norman Pindall Reagan Sims Stanford

Sullivan Lipton Williams and Mr President
in the negative none

Absent Senators Blackwell East Harris
Haycock Kerr Pennington Throver Tobey
and Wilson = 9

So the bill passed

The title of the bill was read and adopted

Senator Norman moved to adjourn. The
motion was put and lost and the
Senate refused to adjourn

On motion of Senator Chism the
Senate adjourned until 9 o'clock
tomorrow morning
Approved

Jacob Froh
Secretary

James K. Jones
President,

Senate Chamber Little Rock
Saturday March 3^d 1877

The Senate met pursuant to adjournment at 9 o'clock^{Am} and was called to order by the Hon J K Jones President of the Senate

The roll was called by The Secretary and the following Senators were found to be present

Messrs Blackwell Burch Campbell Chism
Crawley Duffie Ferguson Hampton Harris
Haycock Hicks House Johnson Judkins Kerr
Mulkey Norman Pindall Reagan Sims
Sullivan Tipton Williams Wilson and
Mr President = 25

Absent Senators Armistead East Pennington
Stanford Thrower and Loberg = 6

A quorum present

Prayer by Rev J H Buchanan Chaplain

The Journal of the preceding day was read approved and signed by the President and Secretary

On motion of Senator Judkins leave of absence was granted Senator House till Monday next

Senator Pindall submitted the following report

Mr President

47-156 Your committee of conference on House bill No. 6, "an act to reduce the taxes" have met the committee on the part of the House and have had the question submitted to them under consideration and the joint committee recommend that the Senate recede from its amendment and that the bill be amended so as to levy a four mill tax for the year 1877 and three and one half mills afterwards to pay the interest on the public debt

Respectfully submitted
 X J Furdall
 Chairman

On motion of Senator Furdall The report of the committee was adopted

Senator Furdall moved to amend the bill by striking out the word "three" and inserting the word "four" in section two, and after the word "dollar" in line 15 insert "for the year 1877 and after that time three and one half mills on the dollar"

The amendment was read the first time and on motion of Senator Furdall the rules were suspended and the amendment was read the second time and adopted

On motion of Senator Williams the bill was made the special order for Monday morning immediately after reading the Journal

On motion of Senator Jenkins the rules were suspended when

S B 164 Senator Jenkins introduced Senate bill No 164 Entitled "An act declaring void certain deeds and for other purposes"

The bill was read the first time and on motion of Senator Jenkins the rules were suspended and the bill was read the second time and made the special order for 10 1/2 o'clock on Monday next

On motion of Senator Jenkins the rules were suspended for the introduction of bills

S.B. Senator Haycock introduced Senate bill No. 165
 165 Entitled "A bill for an act entitled an act providing for the collection from Rail Road companies of the interest due May 29th 1874 upon certain alleged bonds purporting to have been issued under an act of the General Assembly entitled an act to aid in the construction of Rail Roads approved July 21st 1868 and for other purposes"

The bill was read the first time and placed on the calendar.

S.B. Senator House introduced Senate bill No. 166
 166 Entitled "An act to provide for the sale of unclaimed property - or on which freight or other charges shall not be paid"

The bill was read the first time and placed on the calendar.

Senator Duffie submitted the following Resolution:

Resolved — That the chairman of the Joint Judiciary Committee of the General Assembly be requested to return to the Senate all resolutions or bills referred to said joint committee by this body"

Duffie

On motion of Senator House the resolution was adopted.

S.B. Senator Sims introduced Senate bill No. 167
 167 Entitled "A bill for an act to be entitled an act to appropriate money for additional building and walls of Penitentiary"

The bill was read the first time and on motion of Senator Sims the rules were suspended and the bill was read the second time and referred to the committee on Finance

S B 168 Senator Kerr introduced Senate bill No 168
 "a bill for an act to be entitled an act to provide for the compensation of the elected members of the State board of Finance"

The bill was read the first time and on motion of Senator Kerr the rules were suspended and the bill was read the second time and made the special order for 11 O'clock on Monday next

H b R No 8 On motion of Senator Wilson the rules were suspended and House Concurrent Resolution No. 8. providing for a joint session of the General Assembly to elect two Trustees of The Arkansas Industrial University to fill vacancies" was taken up and read by The Secretary

On motion of Senator Wilson The Resolution was adopted

Senator Judkins was called to the chair

S B 169 Senator Hicks introduced Senate bill No. 169
 Entitled "an act to provide for the sale of certain books by the Secretary of State"

The bill was read the first time and on motion of Senator Hicks the rules were suspended and the bill was read the second time

Senator Williams moved to amend the bill by striking out the word "three" in line 14 Sec. 1, and insert the word "one" In line 17 same section after the word books insert the words "except Rose's Digest"

The amendment was read the first time, the rules were suspended & the amendment was read the second time

Senator Armstrong moved to amend by inserting at the end of Section 1 the words, "Provided that the Secretary of State retain 500 copies of the Constitution of 1874"

The amendment was read the first time and the rules were suspended and the amendment was read the second time, and the bill and amendments were referred to the Judiciary Committee

Senator Campbell submitted the following report

Mr President
The committee on Enrolled bills have examined Senate bills No 36 and 2 and have instructed me to report both bills correctly enrolled. Said bills have been signed by the Speaker of the House the President of the Senate and delivered to the Governor for his consideration this 3^d day of March 1877

John Campbell
Chairman

Leave being granted, Senator Williams submitted the following report

Mr President

The committee on the Judiciary to which was referred Senate bill No 134 Entitled "an act to prescribe the form of County warrants" have instructed me to return it with a recommendation that it pass

Williams
for committee

S B 134 On motion of Senator Williams the rules were suspended and Senate bill No 134 Entitled "an act to prescribe the form of County warrants" was taken up and being read the third time the question was

Shall the bill pass?

which was decided in the affirmative

Ayes = 20 Noes = 5

The following Senators voted in the affirmative

Messrs. Blackwell Bunch
Campbell Duffie Ferguson Harris Hicks
House Jenkins Kerr Mulkey Norman
Pindall Reagan Sims Sullivan Tipton
Tobey Williams and Wilson

In the negative were Messrs Armstrong
Chism Crowley Johnson & McPresident

Excused from voting Senator Stanford

Absent Senators East Hampton Haycock
Pennington and Throver = 5

So the bill passed

The title of the bill was read and adopted

S.B.
170. Senator House introduced Senate bill
No. 170 entitled "an act to suspend the
copying printing and publishing of the journals
of the General Assembly for the year 1877"

The bill was read the first time, the
rules were suspended and the bill was
read the second time and referred to
the committee on printing

S.B.
124. On motion of Senator Tobey Senate bill
No. 124 was taken up and read by
title and on motion of Senator Williams
was made the special order for 11 o'clock
on Tuesday next

H.B.
No. 1. On motion of Senator Williams the rules
were suspended and House bill No. 1,
entitled "a bill to be entitled an act

to regulate the filling of vacancies in office in certain cases and to define the same" was taken up and read the first time and on motion of Senator Williams the rules were suspended and the bill was read the second time

Senator Haycock moved to amend the bill by inserting after the word "immediately" in 8th line the words "in default of bail"

The amendment was read the first time and on motion of Senator Haycock the rules were suspended and the amendment was read the second time

Senator Haycock moved that the amendment be adopted

On motion of Senator Johnson the amendment and bill were referred to the Judiciary Committee

A message was received from The House of Representatives by assistant Clerk Holland as follows

Hall House of Representatives
March 2^d 1877

Mr President

I am instructed by The House of Representatives to inform your honorable body of the passage by the House of House bill No. 180 Entitled "A bill entitled an act to be entitled an act to donate all the lands forfeited to the state for non payment of taxes and all the Swamp and overflowed lands lying in the Counties of Clark, Dallas, Quachita and Union for the purpose of aiding in the construction of the Quachita Valley Rail Road Through said Counties"

Also of the passage of House bill No. 196. Entitled "an act to amend and reenact section two of an act to authorize the State board of Finance to borrow money to pay the expenses of the State Government and to pledge the bonds of the State as security" approved November 16th 1875"

Also of the passage of House bill No 200 Entitled "A bill for an act to amend section 4998 Chapter 112 of Hunt's Digest"

SB No 12

Also of the passage of Senate bill No. 12 Entitled "an act to authorize the several Counties in the State to fund their outstanding indebtedness evidenced by bonds of said Counties heretofore issued" with the following amendment in which the concurrence of your honorable body is respectfully requested

Strike out in section three the words "or such other place as said Courts in their discretion may determine upon"

All of which are herewith respectfully transmitted

Thomas W Newton
Clerk

S B
163

Senate bill No. 163 Entitled "A bill for an act to be entitled an act to authorize the confinement of persons charged with capital offences in the State Penitentiary in certain cases" was taken up and being read the third time the question was

Shall the bill pass?

which was decided in the affirmative

Ayes = 16 Noes = 10

The following Senators voted in the affirmative

Messrs Armistead Blackwell

Bunch Campbell Chism Duffie Hampton
Harris Haycock Judkins Kerr Mulkey Storman
Stanford Tobey and Williams

In the negative were Messrs Ferguson
Hicks Johnson Pundall Reagan Sims
Sullivan^{Tipton} Wilson and Mr President

Absent Senators Browley East House
Parrington and Throver = 5

So the bill passed

The title of the bill was read and adopted

Leave being granted Senator Wilson
submitted the following report

Mr President

The committee on claims to
whom was re-committed the claim
of Lucretia Eddington Administratrix
of the Estate of A A Eddington deceased
have considered the same and find
that in 1872 the deceased as sheriff and
collector of Bertha County erroneously paid
in the Treasury the sum of one hundred
and twelve dollars and the committee
is of opinion that the same should
be returned to the claimant.

And the committee instruct me to
report the bill herewith transmitted
and to recommend its passage

Respectfully Submitted
Wilson
Chairman

S.B.
171. The bill was read the first time
and on motion of Senator Wilson the
rules were suspended and the bill
was read the second time, ordered
engrossed and made the special order
for 11 O'clock on Monday next

Senator Hampton submitted the following report

Mr President

The select committee to whom was referred the account of Wm W Blocher for printing done for the Senate up to February 15th have examined said account and having compared the items in the account with similar items embraced in an account of work done for the House of Representatives under a contract let to the lowest bidder find the charges correct and I am instructed to recommend the payment of the account

Hampton

Chairman

On motion the report was adopted

On motion of Senator Chism the rules were suspended for the purpose of taking up House bills on the first reading

H B
66

House bill No. 66 Entitled "A bill entitled an act to repeal an act entitled an act to license and regulate the trading on navigable streams of this State and for other purposes" was taken up and read the first time and on motion of Senator Harris the rules were suspended and the bill was read the second time and referred to the Finance Committee.

On motion of Senator House the Hon Mr Rinchart was invited to a seat on the floor of the Senate.

H B
62

House bill No 62 Entitled "a bill to be entitled an act to amend Section 4515 of Gault's Digest" was taken up and read the first time and on motion of Senator Pindall the rules were suspended and the bill was read the second time and on motion of Senator Williams referred to the Judiciary Committee

H.B. 69 House bill No. 69 entitled "an act authorizing the County Court of Pulaski County to equalize and amend the assessment of real estate made in 1876" being the special order for the hour was taken up and being read the third time the question was

Shall the bill pass?

Which was decided in the affirmative

Ayes = 23 Noes = 2

The following Senators voted in the affirmative

Messrs. Armistead Blackwell Bunch Campbell Chism Ferguson Hampton Harris Haycock Johnson Judkins Kerr Mulkey Norman Pindall Reagan Sims Stanford Lipton Tobey Williams Wilson and Mr. President

In the negative Messrs. Duffie and House

Absent Senators Crowley East Hicks Pennington Sullivan and Throver = 6

So the bill passed

The title of the bill was read and adopted

H.B. 195 House bill No. 195 entitled "A bill to be entitled an act regulating the payment of money by the State Treasurer" was taken up and read the first time and on motion of Senator Kerr the rules were suspended and the bill was read the second time and referred to the Finance Committee

H.B. 97 House bill No. 97 entitled "an act requiring the Attorney General to record his opinion in certain cases" was taken up and read the first time and on

motion of Senator Kerr the rules were suspended and the bill was read the second time and referred to the Finance Committee

H B 44 House bill NO. 44 Entitled "an act to be entitled an act to amend an act providing a general election law" was taken up and read the first time and placed on the calendar

H B 194 House bill NO. 194 Entitled "an act to reduce the expense of conveying convicts to the Penitentiary" was taken up and read the first time and on motion of Senator Chism the rules were suspended and the bill was read the second time and made special order for 12½ o'clock on Monday next.

H B 30 On motion of Senator Mulkey the rules were suspended and House bill NO. 30. Entitled "an act to provide for the compensation of appraisers of real estate Bank lands in certain cases" was taken up and being read the third time the question was

Shall the bill pass?

Which was decided in the affirmative

Ayes = 24 Noes = 3

The following Senators voted in the affirmative

Messrs Armistead Blackwell
Bunch Campbell Browley Duffie Ferguson
Hampton Harris Haycock Johnson Jenkins
Kerr Mulkey Norman Pindall Reagan
Scims Stanford Lipton Lobey Williams
Wilson and Mr President

In the negative were Messrs Chism

Hicks + House

Absent Senators East Pennington Sullivan and
Thrower = 4

So the bill passed

The title of the bill was read and adopted

HJM No. 6. House Joint Memorial No. 6. To the Congress of the United States praying the establishing of a mail route from Cave Creek in Newton County to Russellville Pope County" was taken up and read the first time and on motion of Senator Loberg the rules were suspended and the Memorial was read the second time

On motion of Senator Williams the rules were suspended for the purpose of taking up Senate bills on the third reading

S 13 38 Senate bill No. 38, Entitled "an act to amend Section 9 of an act entitled an act to regulate the licensing of dram shops and for other purposes approved May 30th 1874" was taken up and being read the third time the question was

Shall the bill pass?

which was decided in the affirmative

Ayes = 23 Noes = 1

The following Senators voted in the affirmative

Messrs Armistead Blackwell
Bunch Campbell Crowley Duffie Ferguson
Hampton Harris Haycock Hicks House Johnson
Kerr Norman Pindall Reagan Sims Tipton
Tobey Wilson and Mr President

In the negative Senator McKim

Excused from voting Senator Mulkey

Absent Senators East Jenkins Pennington
Stanford Sullivan and Throver

So the bill passed

The title of the bill was read and adopted

On motion of Senator Williams M M Pomroy
was invited to a seat within the bar of
the Senate

803
146

Senate bill No 146 was taken up and
read the third time.

On motion of Senator Williams the
vote by which the bill was ordered to
the third reading was reconsidered and
the bill was ordered engrossed

A message was here received from the
House of Representatives by assistant Clerk
Holland as follows

Hall House of Representatives
March 3^d 1877

Mr President

I am instructed by the
House of Representatives to inform your
honorable body of the passage by the
House of House Concurrent Resolution
No 10 providing for ascertaining and
adjusting the indebtedness of the State
and herewith respectfully transmit the
same for your favorable consideration

Thos W Newton
Clerk

S B
No 12 On motion of Senator Haycock the rules were suspended and Senate bill No 12. was taken up and the amendment made by the House of Representatives was read the first time and the rules were further suspended and the amendment was read the second time and a made special order for 11 1/2 o'clock on Monday next

S. B.
159 Senate bill No. 159 Entitled "An act for the benefit of the destitute and friendless afflicted" was taken up and being read the third time the question was

Shall the bill pass?

Which was decided in the negative

Ayes = 16 Noes = 10

The following Senators voted in the affirmative

Messrs Armistead Blackwell Campbell Chism Harris Haycock House Johnson Kerr Norman Reagan Stanford Sullivan Lipton Lobey and Williams

Those voting in the negative were Messrs Bunch Browley Duffie Ferguson Hampton Hicks Judkin Mulkey Sims and Mr President

Absent Senators East Pennington Fendall Throver and Wilson = 5

Having failed to receive two thirds of the votes the bill was lost.

S B
105- Senate bill No 105 Entitled "an act for the relief of Joseph Bossert" was taken up and being read the third time the question was

Shall the bill pass?

Which was decided in the negative

Ayes = 7 Noes = 11

The following Senators voted in the affirmative

Messrs Campbell Norman Mudall
Sims Stanford Wilson and Mr President

Those voting in the negative were Messrs
Blackwell Chism Ferguson Harris Hicks
House Johnson Judkins Sullivan Tipton and
Williams

Absent Senators Armistead Bunch Crowley
Duffie East Hampton Haycock Kerr Mulkey
Pennington Reagan Throver and Tobey = 13

So the Senate refused to pass the bill

On motion of Senator House the vote
by which the Senate refused to pass
Senate bill 105 was reconsidered

S B 105 The bill was read by the Secretary for
information and its merits explained

When the question was again on the
passage of the bill

which was decided in the affirmative

Ayes = 22 Noes = 5

The following Senators voted in the
affirmative

Messrs Armistead Blackwell Bunch
Campbell Chism Crowley Duffie Hampton
Harris House Johnson Kerr Mulkey
Norman Mudall Reagan Stanford
Sullivan Tobey Williams Wilson and
Mr President

In the negative were Messrs Ferguson Hicks
Judkins Sims and Throver

Absent Senators East Haycock Pennington
and Tipton

So the bill passed

The title of the bill was read and adopted

A message was received from the House of Representatives by Chief Clerk Newton as follows

Hall House of Representatives
March 3rd 1877

Mr President

I am instructed by the House of Representatives to inform your honorable body that the House will be ready at 12 o'clock noon on this day to receive the Senate in joint session for the purpose of electing two Trustees of the Arkansas Industrial University to fill vacancies, and by the time piece of the House it is now within two minutes of the time

Thomas W Newton
Clerk

The hour of 12 o'clock having arrived the Senate on motion of Senator Williams preceded by its officers proceeded in a body to the Hall of the House of Representatives to meet that body in joint session for the purpose of electing two Trustees of the Arkansas Industrial University to fill vacancies

The President of the Senate called the joint Assembly to order when the roll of the Senate was called by the Secretary and the following Senators were found to be present

Messrs Armistead Blackwell Bunch
Campbell Chism Crowley Duffie Ferguson
Hampton Harris Haycock Hicks House Johnson
Jenkins Kerr Mulkey Norman Pindall Reagan
Sims Stanford Sullivan Lipton Tobey
Williams Wilson and Mr President = 28

Absent Senators East Pennington + Throver = 3

A quorum present.

The roll of the House was called by the Clerk and the following members were found to be present

Messrs Allen Andrews
Avera Barnett Berry Blankenship Brock
Brown Chaney Cobb Coleman of Clark
Coleman of Phillips Cubage Davis of Pope
Davis of Searcy Davidson Duncan
Dunagin Farr Fishback Fisher Floyd
Gardner Gibson Gray Harrison of Caline
Harrison of Cyle Hearn Hunter Jacks
Jennings Jones Lawhon Mainard Martin
of Faulkner Mathews McHenry McKinnon
McLeod McKee Milor Mooney Morgan
Morton Murphy Pearce Perry Poyner
Price Ratcliff Rector Reid Rice Robison
Scam's Sawyer Smith Stinson Stubbs
Tate Thomason Wofford Walker Warren
of Crawford Warren of Union Watson
Weaver Wells Wilson Williams of Hot Springs
Williams of Mississippi Williamson and
Mr Speaker =

Absent Messrs. Best Braly Cotham Cunningham
Donohoe Durham Eagle Ebberson Foster Headlee
Hervey Hill Lee Martin of Dallas Peoples
Priddy Stanley Thomas and Whitson

A quorum present.

The President explained the the object of the joint assembly and announced that nominations were in order to fill the vacancy in the board of trustees of the Arkansas Industrial University occasioned by the resignation of the Hon J. B. Walker.

Mr Davis of Pope nominated The Hon Grandison W. Royeton.

Mr Foster nominated Hon O. D. East.

The roll of the Senate being called the following
Senators voted for Grandison W Royston

Messrs Armistead Blackwell Burch Campbell
Chism Coowley Duffie Ferguson Hampton
Harris Haycock Hicks House Johnson Jenkins
Kerr Mulkey Norman Findall Reagan Sims
Stanford Lipton Tobey Williams Wilson and
Mr President = 27

Absent Senators East Pennington Sullivan and
Thrower = 4

The roll of the House being called the
following members voted for Grandison W
Royston

Messrs. Allen Andrews Averra Barnett
Berry Blankenship Brock Brown Chauncy
Cobb Coleman of Clark Coleman of Phillips
Cotham Cubage Davis of Pope Davis of Searcy
Davidson Duncan Dunagin Farr Fishback
Fisher Floyd Gardner Gibson Gray Harrison
Saline Harrison of Yell Hearn Hervey
Hunter Jacks Jennings Jones Lawhon Lee
Mainard Martin of Faulkner Mathews
McHenry McKenney McLeod McKee Milor
Mooney Morgan Morton Murphy Pearce Perry
Poyner Price Ratcliff Rector Reid Rice
Robeson Sams Sawyer Smith Stinson Stubbs
Tate Thomason Wofford Walker Warren
of Union Watson Weaver Wells Whitson
Wilson Williams of Hot Springs Williams of
Mississippi Williamson and Mr Speaker = 76

The following members voted for Q D East
Messrs Foster and Warren of Crawford = 2

Absent Messrs Bent Braly Cunningham
Donahoo Durham Eagle Ebberson Headlee
Hill Martin of Dallas Peoples Fiddy Stanley
& Thomas

Total vote for Grandison W Royston .103.

Total vote for Q D East

Hon Grandison D. Repton having received a majority of all the votes cast was declared by the President duly and legally elected a Trustee of the Arkansas Industrial University to fill the vacancy occasioned by the resignation of Hon J. B. Walker.

The President then announced that nominations were in order to fill the vacancy occasioned by the resignation of Hon W. F. Lake.

Senator Wilson nominated J. P. Pittman
Mr Smith nominated David Bridenbath

Senator Armistead nominated E. R. Duval.

Senator Reagan nominated F. M. Sams.

Mr Duragan nominated J. J. Stubbs.

Senator Whism nominated M. M. McGuire.

Senator Jenkins nominated J. A. Hillhouse.

The roll being called by the Secretary of the Senate the following Senators voted for J. P. Pittman.

Messrs Campbell Hampton
Haycock Hicks Pindall and Wilson and
Mr President = 7

For David Bridenbath Messrs Duffie and
Ferguson = 2

For E. R. Duval Messrs Armistead Johnson
Kerr and Williams = 4

For F. M. Sams Messrs Burch Reagan
Sullivan and Loberg = 4

For J. J. Stubbs Messrs House Mulkey Norman
Sims Stanford and Lepton = 6

For M M McGuire Messrs. Blackwell + Chism = 2

For J A Hillhouse Messrs Browley Harris +
Jenkins = 3

Absent Senators East Pennington and Throver = 3

The roll of the House being called the following
members voted for S Pittman

Messrs Allen Andrews Avera Barnett
Chaney Cobb Coleman of Clark Duncan
Mathews McHenry McKee Morgan Reid
Thomason Walker Warren of Union Watson
Wilson = 18

For David Bridenbath Mr Smith = 1

For E R Duval Messrs Fishback Roleson +
Stinson

For J M Sams Messrs Berry Blankenship
Bootham Davis of Pope Davis of Searay Farr
Floyd Harrison of Raline Haulis Jacks Lawhon
Lee Mainard McKennow Milor Morton
Peery Peoples Poyner Stubbs and Williamson = 2

For J J Stubbs Messrs Brock Brown Coleman
of Phillips Coubage Davidson ~~Duncan~~
Dunagan Fisher Foster Gardner Gray Hearne
Jones Jennings Martin of Faulkner McLeod
Mooney Murphy Pearce Price Ratchiff Rector
Rice Sawyer Sams Tate Wafford Warren of
Wrayford Weaver Wills Williams of Hot Springs
Williams of Mississippi and Mr Speaker = 32

For M M McGuire Messrs. Harrison of Yell +
Hervey = 2

For J A Hillhouse Messrs Gibson = 1

No one having received a majority the
President announced no election

The names of Messrs Duval, McQuire, Bridenbath, Sams and Stubbs were withdrawn

When the joint assembly proceeded to the second ballot

The roll of the Senate being called the following Senators voted for D. F. Pittman

Messrs Armistead Blackwell Burch Campbell Chism Hampton Heycock Hicks Johnson Kerr Norman Findall Reagan Stanford Sullivan Lipton Tobey Williams Wilson and Mr President = 20

For J. A. Hillhouse were Messrs Crowley Duffie Ferguson Harris Jenkins Mulkey and Sims = 7

Absent Senators East House Pennington and Throver = 4

The roll of the House being called the following members voted for D. F. Pittman

Messrs. Allen Andrews Avera Barnett Berry Blankenship Brock Chaney Cobb Coleman of Clark Coleman of Phillips Cotham Cutage Davis of Pope Davis of Searcy Duncan Dunagan Farr Fishback Fisher Foster Harrison of Saline Harrison of Opel Hearn Hervey Jacks Jennings Jones Lawhon Lee Mainard Martin of Faulkner Mathews McHenry McKinnon McLeod McKee Milor Mooney Morgan Morton Murphy Terry Peoples Toyner Price Ratcliff Reeder Reid Roleson Sams Sawyer Smith Thomason Wofford Walker Warren of Crawford Warren of Union Watson Wells Williams of Hot Springs Williamson and Mr Speaker = 64

For J. A. Hillhouse Messrs ~~Brown~~ Davidson Eagle Floyd Gardner Gibson Gray Hunter Pearce Stinson Stubbs & Tate = 11

For Mr Hewitt Mr Brown = 1

Total number of votes for R P Pittman = 84

Total number of votes for J N Hillhouse = 18

Total number of votes for Mr Hewitt = 1

S P Pittman having received a majority of all the votes cast was declared by the President duly and legally elected a Trustee of the Arkansas Industrial University to fill the vacancy occasioned by the resignation of Hon. M F Lake

On motion of Senator Williams the Joint Session was dissolved.

Whereupon the Senate in a body repaired to the Senate Chamber and was called to order by the President.

On motion of Senator Judkins the Senate adjourned until Monday morning at 9 O'clock
Approved

Joseph P. White

Secretary.

James K. Jones

President.

Senate Chamber Little Rock
Monday March 5th 1877

The Senate met pursuant to adjournment
at 9 o'clock A M and was called to order
by Hon J K Jones President of the Senate

The roll was called and the following
Senators were found to be present

Messrs Blackwell Bunch Campbell Whism
Crowley Daffie Ferguson Hampton Harris
Haycock Hicks Mulkey Norman Pinball Reagan
Sims Stanford Sullivan Tobey Williams Wilson
and Mr President = 22

Absent Senators Armistead East House Johnson
Jenkins Kerr^{Dunnington} Throver and Lipton = 9

A quorum present

Prayer by Rev. I H. Buchanan Chaplain

The Journal for Saturday March 3rd was
read corrected and signed by the President
and Secretary

Senators Armistead and Lipton answered
to their names

The special order for this hour being the
consideration of House bill No. 6. Entitled
"an act to reduce taxes"

H. B. No 6. The bill was taken up and being read
the third time the question was

Shall the bill pass?

which was decided in the affirmative

Ayes = 24 Noes = 2

The following Senators voted in the affirmative

Messrs Bunch Chism Duffie Ferguson Hampton
Harris Haycock Hicks House Johnson Jenkins
Mudkey Norman Findall Reagan Sims Stanford
Sullivan Thrower Zipton Loberg Williams Wilson
and Mr President

In the negative were Messrs Blackwell
and Campbell

Absent Senators Armistead Crowley East
Kerr & Pennington = 5

So the bill passed

The title of the bill was read and adopted

Senator Williams submitted the following

Resolved That it be referred to the Judiciary
committee to determine the meaning of Section
17 Article 5 of the Constitution whether sixty
days duration therein mentioned means sixty
Legislative days or sixty calendar days

"Signed"

Williams

On motion the resolution was adopted

Senator Wilson submitted the following report

Mr President

The committee on the Judiciary to
which was referred Senate bill No. 39
"An act in relation to dower" have given it
careful consideration and have instructed me
to return it with the recommendation that
it do not pass and ask that the committee
be discharged from the further consideration
of the subject

Respectfully Submitted

Wilson

for Committee

On motion of Senator Williams the report was adopted

Senator Sims submitted the following report

Mr President

The committee on Finance to which was referred Senate bill No. 150 "An act authorizing the Auditor to issue blank license to the collectors of the State and County revenues for the use of liquor dealers &c" have considered the same and have instructed me to return it with the recommendation that it lie on the table subject to call

Respectfully submitted
L H Sims
for committee

On motion of Senator Haycock the report was adopted

Senator Sims submitted the following report

Mr President

The committee on Finance to which were referred certain minutes of proceedings had by the board of Finance September 21st 1875 together with a communication to Messrs Latham Alexander & Co dated January 7th 1876 informing them of their having been appointed financial agents of the State of Arkansas have carefully considered the same

The committee have instructed me that the above documents be returned to the Senate with the recommendation that action for the present be deferred

Respectfully &c

L H Sims
for committee

on motion of Senator Williams the report was adopted

Senator Bunch submitted the following report

Mr President

The committee on Railroads and other internal improvements to which was referred Senate bill No. 126 "an act to declare Rail Road companies liable for damages to the employees of the companies resulting from the negligence of their fellow servants or co-employees" have had the same under consideration and a majority of your committee instructs me to report the bill back to the Senate with the recommendation that it lie on the table

Bunch
Chairman

Senator Sims submitted the following report

Mr President

The committee on Finance to which was referred House bill No 158 "a bill to be entitled an act to amend Section 44.10 of Martin's Digest" have given the same consideration and have instructed me to return it with the recommendation that it do not pass

Respectfully Submitted
L H Sims
for committee

Senator Williams submitted the following report

Mr President

The committee on the Judiciary to which was referred Senate bill No 169 "an act to provide for the sale of certain books by the Secretary of State" have considered the same and have made the following amendment thereto to wit: In line 14 Section 1 strike out the word "three" and insert the word "one" In line 17 same section after the word "books" add the words "Except Rose's Digest" and recommend the rejection of Senator Armisteads proposed amendment at the end

of said section 1, providing for the retaining of 500 copies of the constitution of 1874 by the Secretary of State.

With the amendments indicated they recommend the passage of the bill

Respectfully &c
Williams

for committee

On motion of Senator Williams the amendment was adopted and the report of the committee was adopted

Senator Duffie submitted the following report

Mr President

The committee on the Judiciary to which was referred House bill No 97 "An act requiring the Attorney General to record his opinion in certain cases" have considered the same. Herewith return it with the recommendation that it pass

Respectfully Submitted
Duffie
for Committee

Senator Williams submitted the following report

Mr President

The committee on the Judiciary to which was referred Senate bill No 157 "An act giving surviving husbands an estate in estates of deceased wives having separate estates" have considered the same and have instructed me to report it with the recommendation that it do not pass

Respectfully Submitted
Williams
for Committee

On motion of Senator Williams the report was adopted

Senator Lipton submitted the following report

Mr President

Your committee on engrossed bills to which was referred Senate bill No. 72 Entitled "an act to prevent unjust discrimination and excessive charges by the different Rail Roads of this State for transporting freight" have had the same under consideration and find it correctly engrossed

Respectfully submitted
Lipton

Chairman

Senator Hicks submitted the following report

Mr President

Your committee on Printing have had under consideration Senate bill no 170 entitled "an act to suspend the copying printing and publishing the Journals of the General Assembly for the year 1877" and beg leave to report the bill with the recommendation that it do pass

Respectfully submitted
Hicks

Chairman

S.B. 170. On motion of Senator Williams the rules were suspended and Senate bill No. 170. "an act to suspend the copying printing and publishing the Journals of the General Assembly for the year 1877" was taken up and being read the third time the question was shall the bill pass?

Which was decided in the affirmative

Ayes = 27 Noes = 0

The following Senators voted in the affirmative

Messrs Armistead Blackwell Burch Campbell
Chism Duffie Ferguson Hampton Harris
Haycock Hicks House Johnson Jenkins
Kerr Mulkey Norman Pindall Reagan
Reins Stanford Sullivan Lipton Tobey
Williams Wilson and Mr President

In the negative none

Absent Senators Crowley East Pennington
and Throver = 4

So the bill passed

The title of the bill was read and adopted

Senator Pindall submitted the following
report

Mr President

In pursuance with an
order of the Senate I herewith return
the resolutions referred to the joint committee
on the Judiciary proposing amendments to
the Constitution to wit: Senate Joint Resolutions
No's 4-6-7-9-10 & 12 also Senate
Concurrent Resolution No's 8-9- & 10

X J Pindall
Chairman

Senator Pindall submitted the following
report

Mr President

The committee on the Judiciary
to which was referred House bill No. 62
"A bill entitled an act to amend Section
4515 of Smiths Digest" have had the same
under consideration and have instructed
me to report it with the recommendation
that it pass

Respectfully Submitted
X J Pindall
Chairman

Senator Pindall submitted the following report

Mr. President,

The committee on the Judiciary to which was referred Senate Bill No 90. "A Bill to be entitled 'An act to provide for a complete digest of the statutes laws of the State' have had the same under consideration - and have instructed me to recommend that further action thereon, be postponed to some future time

Respectfully Submitted
X. J. Pindall
Chairman

On motion of Senator Hicks, the report was adopted.

Senator Sims. submitted the following report.

Mr. President,

The Committee on Finance to which was referred Senate Bill No 167, "A Bill for an act to be entitled: 'An act to appropriate money for additional buildings and walls of penitentiary' have given it careful consideration, and have instructed me to report it, with the recommendation that it pass.

Respectfully Submitted
L. H. Sims
for committee

On motion of Senator Hicks, the rules were suspended and Senate Bill No 167. was taken up. and being read the third time. the question was

Shall the Bill pass?

Which was decided in the affirmative

Ayes = 23. Nays = 5.

The following Senators. voted in the affirmative:

Messrs. Armistead, Brush, Campbell, Hampton, Harris, Haycock, Hicks, House Johnson, Juddens, Koss, Mullett, Norman, Pindall, Reagan, Sims, Stanford, Sullivan, Thrower, Tipton, Tobey, Williams and Wilson.

Those voting in the negative were;

Messrs. Blackwell, Chism, Suffie, Ferguson^{and} Mr. President.

Absent: Messrs. Crowley, East^{and} Pennington.

So the Bill passed.

The title of the Bill was read and adopted.

Senator Sims. Submitted the following report.

Mr. President:

The committee on Finance, to which was referred a certain resolution, compensating Mr. Brandes for services as clerk of the committee on Finance and joint Judiciary, &c, have instructed me to report the annexed substitute. (the original resolution is herewith returned)

Resolved, that Mr. Brandes be allowed two dollars per day "from the 20th day of February 1844. to the close of the present session of the General Assembly - for services as clerk of the Committee on Finance

Respectfully &c

J. H. Sims

for Committee

On motion of Senator Haycock, the resolution was adopted

Senator Johnson. Submitted the following report

Mr. President:

The committee on the Judiciary to which was referred House Bill No 1. A Bill to be entitled "An act to regulate the filling of vacancies in certain cases, and to define the same, have given it careful consideration, and have instructed me to return it, with the recommendation that it pass without any amendment

Respectfully Submitted
Johnson
for Committee

H.B 1 On motion of Senator Haycock, House Bill No 1 was made the special order for 11:30 o'clock on Tuesday next.

H.B 62 On motion of Senator Williams House Bill No 62 was made the special order for 10 o'clock to-morrow.

On motion of Senator Hicks, the rules were suspended, for the purpose of taking up Senate Bills on their third reading.

A message was received from the Governor, by Genl. James M. Connerly, as follows:

State of Arkansas
Executive Office
Little Rock March 3rd 1877

To the President of the Senate:

Mr. President:

S.B 2 I have this day approved and signed Senate Bill No 2. "An Act authorizing the change or abandonment of location by Railroad corporations". Also, Senate Bill No 36 "An Act to amend the revenue laws of the State."

H. R. Miller
Governor

Senator Norman was called to the Chair.

Senate Bill No 149, was taken up and on motion of Senator Haycock, made the special order for 11:30 to-morrow.

S.B 133 Senate Bill No 133 was taken up and read by title.

Senator Throver moved to amend the Bill in Section One, after word "to" in 6th line from the conclusion of said section add the words "regulate license or"

The amendment was read the first time.

Senator Throver moved that the rules be suspended

and the amendment read the second time

The motion was put by the President and lost, and the Senate refused to suspend the rules

S. B. 61

Senate Bill No 61 "Entitled an act in relation to evidence in Criminal prosecutions, and in all proceedings in the nature of Criminal proceedings". was taken up and being read the third time, the question was

Shall the Bill pass?

which was decided in the affirmative,

Ayes = 15 Noes = 13

The following Senators voted in the affirmative

Messrs. Armistead, Bunch, Duffie, Ferguson, Horris, Haycock, Johnson, Juddus, Kerr, Mulkey, Claiborne, Sullivan, Thorne, Gaben and Williams.

Those voting in the negative were Messrs Blackwell, Campbell, Chism, Crowley, Hampton Hicks, Norman, House, Randall, Reagan, Sims, Sipton and Wilson.

Absent, Senators East, Pennington and Mr. President.

So the Bill passed.

The title of the Bill was read and adopted.

A Message was received from the House of Representatives by Chief Clerk Newton, as follows

Hall House of Representatives
March 4th 1877.

Mr. President;

I am instructed by the House of Representatives, to inform your honorable body of the passage by the House of House Bill No 184 entitled "An Act to define and establish the line between the counties of Pope and Johnson"

H. B. 184

B 117 And also of the passage of Senate Bill No 117
 Entitled "An act to prevent the sale of liquors or al-
 coholic liquors, within a distance of three miles
 of the town of El Dorado, in the County of Union."

B. 80 And also, of the passage of Senate Bill No 80, entitled
 "An act to be entitled An act, to provide for the publication
 of a statement of the receipts and expenditures of the public
 money".

And herewith, respectfully transmit the same.

Thos. W. Newton
 Clerk

B. 164 Senate Bill No 164 entitled "An act entitled An act, de-
 claring valid certain deeds and for other purposes"
 was taken up, and being read the third time, the question
 was

Shall the Bill pass?

Which was decided in the affirmative.

Ayes = 25 Nays = 0

The following Senators voted in the Affirmative

Messrs. Armistead, Blackwell, Bunch, Campbell,
 Chism, Crowley, Duffie, Hampton, Hancock, Hicks
 Johnson, Judkins, Kerr, Mulkey, Norman, Pindall,
 Reagan, Sims, Stanford, Suttman, Tipton, John
 Williams, and Wilson.

In the negative none.

Absent Messrs. East, Harris, House, Remington,
 Throover and Mr President.

So the Bill passed.

The title of the Bill was read and adopted.

B 168 Senate Bill No 168, entitled A Bill for an act to be
 entitled "An act to provide for the compensation of the
 elected members of the State Board of Finance".

was taken up and being read the third time the question was,

Shall the Bill pass?

which was decided in the affirmative.

Ayes = 26. Nays = 2.

The following Senators voted in the affirmative

Messrs. Armistead, Blackwell, Bunch, Campbell, Chism, Crowley, Daffin, Ferguson, Hampton, Harris, Haycock, Hicks, House, Johnson, Judkins, Kerr, Mulkey, Norman, Reagan, Sims, Stanford, Sullivan, Thomas, Septon, Williams and Wilson.

In the negative were Messrs. Randall and Tabey.

Absent: Senators East, Pennington & Mr. President.

So the Bill passed.

The title of the Bill was read and adopted.

Senator Septon, submitted the following report

Mr. President:

S. B. 171 Your Committee on Engrossed Bills, to which were referred Senate Bills No 171. Entitled, "An act to refund money erroneously paid into the State Treasury,"

S. B. 146 Senate Bill No 146 "entitled" An act to be entitled An act to allow County Courts to grant licenses to peddle, in certain cases."

have had the same under consideration, and find them correctly engrossed.

Respectfully Submitted

Septon
Chairman

S. B. 171 Senate Bill No 171, entitled "An act to refund money erroneously paid into the State Treasury" ^{was taken up} and read the third time, when the question was

Shall the Bill pass?

which was decided in the affirmative.

Ayes = 24 Nays = 1

The following Senators voted in the affirmative

Messrs Blackwell, Bunch, Campbell, Chism, Crowley, Daffin, Ferguson, Hampton, Horris, Hoy, even Hicks Johnson, Kirt, Mulkey, Norman, Pindall, Reagan, Sims, Stanford, Sullivan, Tipton, Tobey, Williams and Wilson.

In the negative was, Senator Houser

Absent, Messrs. Armstrong, East, Judkins, Pennington, Thrown and Mr President,

So the Bill passed

The title of the Bill was read and adopted

H. B. 189 On motion of Senator Tobey, the rules were suspended and House Bill No 189, entitled "A Bill to be entitled" "An act to define and establish the line between the counties of Pope and Johnson". ^{point} was taken up and read the ~~third~~ time, and on motion of Senator Tobey the rules were further suspended, and the Bill was read the second time and placed on the calendar.

Senator Sims moved to suspend the rules, in order to make a motion, to reconsider the vote, by which

S. B. 159 Senate Bill No 159 was defeated. The motion was put and lost, and the Senate refused to suspend the rules.

B 35 House Bill No 35 entitled "An act to amend section 70 of an act entitled an act fixing the regular terms of holding the County Courts of the State, and fixing the Salaries of the county Judges of the several Counties in this State," approved February 5th 1875," was taken up, and being read the third time, the question was,

Shall the Bill pass?

which was decided in the affirmative.

Ayes = 21 Noes = None

The following Senators voted in the affirmative

Messrs Armstrong Blackwell Burch, Campbell Chas. Dargason, Harris Haycock, Hills, Homer Johnson, Mulkey, Norman, Pender, Reagan, Sims, Stanford, Sullivan, Tipton, Williams and Wilson.

In the Negative. None.

Absent: Messrs Crowley, Duffin, East, Hampton Judkins, Kirt, Pennington, Thomas, Tolby and Mr. President.

So the Bill passed

The title of the Bill was read and adopted

H. B 18 House Bill No 18, entitled, a Bill to be entitled "An act to amend section 1936, Chapter 43 of Gault's Digest, to establish uniformity of argument of Counsel, in criminal and civil cases."

was taken up and being read the third time, the question was

Shall the Bill pass?

which was decided in the affirmative

Ayes = 25 Noes = None

The following Senators voted in the affirmative

Messrs Blackwell Bunch Campbell Chesebrough
Ferguson, Hampton, Harris, Haycock Hicks, House
Judkins Johnson, Mulkey, Norman, Randall Reagan
Shinn, Sullivan, Throner, Tipton, Tobey, Williams, Wilson
and Mr. President.

In the negative, none

Absent, Messrs. Armistead, Crowley, East, Kerr, Pennington and Stanford.

So the Bill passed.

The title of the Bill was read and adopted.

S. B. 12 Senate Bill No 12, was taken up, and House amendment read the third time, and concurred in.

Ayes. = 26 - Nays = 0

The following Senators voted in the affirmative

Messrs Blackwell Bunch Campbell, Chesebrough
Ferguson, Hampton, Harris, Haycock, Hicks, House
Johnson, Judkins Kerr, Mulkey, Norman, Randall Reagan,
Shinn, Sullivan, Throner, Tipton Tobey, Williams Wilson
and Mr President.

In the negative none

Excused from voting Senator Armistead

Absent, Messrs Crowley, East, Pennington and Stanford

S. B. 42 Senate Bill No 42 entitled "An act to prevent unjust discrimination and excessive charges, by the different Railroads, of this State, transporting freight" was taken up; and being read the third time the question was,

Shall the Bill pass?

08
which was decided in the affirmative

Ayes = 21. Nays = 3

The following Senators voted in the affirmative

Messrs Armstrong Blackwell Bunch Campbell
Cham Crowder Duffin Ferguson Hampton Horris
Hicks House Judson Mulken Randall Snies.
Stanford Sullivan Dwyer Tobin and Wilson

In the Negative, Messrs Johnson Norman
and Williams.

Absent: Messrs East Haycock Kerr Pen-
nington Reagan and Mr President.

So the Bill passed.

The title of the Bill was read and adopted

S. B 146

Senate Bill No 146 entitled, "An act to be entitled
"An act to allow county courts to grant licenses
to peddle in certain cases."

Was taken up and read
for information.

When Senator Johnson
moved to amend, by adding the following
"provided that no such peddler shall be authorized
sell or dispose of any spirits alcoholic or malt
liquors, or bitters, by virtue of such license."

The amendment was read the first time, and on
motion of Senator Johnson, the rules were suspended
and the amendment was read the second time.

Senator Johnson moved that the amendment
be adopted.

The motion was put and lost, and the Senate
refused to adopt the amendment.

The Bill was then read the third time when
the question was

Shall the Bill pass?

which was decided in the affirmative.

Ayes = 26, Noes = 1

The following Senators voted in the affirmative

Misses. Armstrong Blackwell Bunch Campbell Chisum
Crowley Duffie Ferguson Hampton Harris, Haycock Hicks
Houser Johnson Kerr Mulkey Norman Pundall Reagan
Smith Stanford Tipton Tobey Williams Wilson and
Mr President.

In the negative, Senator Judkins.

Absent, ^{Miss} East, Cunningham, Sullivan and Throning

So the Bill passed

The title of the bill was read and adopted

On motion of Senator Duffie, the rules were
H.B. 200 suspended and House Bill No 200, entitled
a Bill for "An Act to amend section 4998, Chapter
112 of Gault's Digest."

was taken up and read the
first time, and on motion of Senator Duffie
the rules were suspended, and the Bill was read
the second time, and referred to the Committee
on Railroads, and other national improvements.

Senator Haycock moved that in honor of the
inauguration of Rutherford B. Hayes, as president
of the United States, the Senate do now adjourn

The motion being put by the President, was decided
in the negative

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and the Senate refused to adjourn.

H.B. 191 House Bill No 191, entitled "an act to reduce the
expenses of conveying convicts to the penitentiary"
was taken up; and being read the third time
the question was

Shall the Bill pass?

which was decided in the affirmative

Ayes = 24, Nays = 1

The following Senators voted in the affirmative

Messrs. Armstrong Blackwell Bunch Campbell
Chism Crowley, Duffie Ferguson Hampton Harris
Homer Judkins Kerr, Mulkey Norman Pindall
Reagan Sims Stanford Sullivan Tipton Tobey
Williams and Wilson.

In the negative Mr President,

Absent, Messrs. East, Haycock, Hicks, Johnson,
Pennington and Throver.

So the Bill passed.

The title of the bill was read and adopted

S.B. 125

Senate Bill No 125 entitled a Bill for
An act to regulate the term of office of certain
officers of this State.

was taken up and being
~~read~~ the third time, the question was,

Shall the Bill pass?

which was decided in the affirmative

Ayes = 26, Nays 0.

The following Senators voted in the affirmative

Messrs. Armstrong Bunch Campbell Chism
Crowley Duffie Ferguson Hampton Harris
Hicks, Homer Johnson, Judkins Kerr, Mulkey
Norman, Pindall Reagan Sims, Stanford
Sullivan Tipton Tobey, Williams, Wilson
and Mr President

In the negative none.

Absent: Messrs Blackwell, East, Haycock
Pennington and Throver

So the Bill passed

The title of the Bill was read and adopted

S. B 131 Senate Bill No 131 entitled "An act to be entitled An act, to amend An act, entitled An act, to provide for the appointment of Notaries Public, in this State," was taken up, and being read the third time, the question was

Shall the Bill pass?

which was decided in the affirmative

Ayes = 28. Nays = 0.

The following Senators voted in the affirmative

Messrs. Armistead Blackwell Bunet, Campbell Chinn, Crowley Duffie Ferguson, Hampton Harris Haycock Hicks House Johnson, Judkins Kest, Mulkey Norman, Pundall, Ragan Triss, Stanford, Sullivan Septon Tobey, Williams Wilson, and Mr President.

In the negative none.

Absent. Messrs. East, Pummington, and Throver

So the Bill passed

The title of the Bill was read and adopted.

At 12:30, on motion of Senator Hicks, the Senate took a recess, until 3, O'clock P. M.

After Recess

The hour of 3, O'clock, P. M. having arrived, the President called the Senate to order, when the roll was called, and the following Senators, were found to be present.

12
Messrs. Armistead Blackwell Bunch Campbell
Chism Crowley, East Ferguson, Harris, Haycock Hicks
Houser Johnson Mulken Norman Pundall Reagan
Stanford, Sullivan, Tipton Williams^{es} Mr President
22

Absent, Messrs. Duffin Hampton Judkins Kurt
Punington, Sims, Thrower Tobey, & Wilson 9

a quorum Present.

B. 108

Senate Bill No 108, entitled An Act to be
entitled "An Act, to amend An Act entitled
An Act, to regulate the Labor System.

was taken
up, and being read the third time, the question
was,

Shall the Bill pass?

which was decided in the affirmative.

Ays = 21 Nays = 1

The following Senators voted in the affirmative

Messrs. Armistead Blackwell Bunch Campbell
Chism Crowley, East, Ferguson, Harris, Hicks
Houser, Johnson, Mulken, Norman, Pundall Reagan
Stanford, Sullivan Tipton, Williams, and
Mr President.

In the negative, Senator Haycock

Absent, Messrs. Duffin, Hampton, Judkins
Kurt, Punington, Sims, Thrower, Tobey, and
Wilson.

So the Bill passed.

The title of the Bill was read and adopted.

On motion of Senator Houser, the Journal
Clerk, and Enrolling and Engrossing Clerks were
authorized, to employ such assistance, as should be
found necessary, for the remainder of the Session.

S. B. 143 Senate Bill No 143 entitled a Bill for An Act for the relief of Chesley Payne of Jackson County was taken up, and being read the third time, the question was.

Shall the Bill pass?

Which was decided in the affirmative

Ayes = 21 Noes = 1

The following Senators voted in the affirmative

Messrs. Armistead, Blackwell, Bunch, Campbell, Chism, Crowley, East, Ferguson, Harris, Haycock, Hicks, Horner, Johnson, Muelken, Pundall, Reagan, Stanford, Sullivan, Tipton, Williams and Mr. President.

In the negative, Senator Norman

Excused from voting, Senator Wilson

Absent. Messrs. Duffin, Hampton, Judkins, Kest, Quinn, Thrown and Tobey.

So the Bill passed.

The title of the Bill was read and adopted.

S. B. 111 Senate Bill No 111, was taken up and read by title, and on motion, was postponed.

S. B. 154 Senate Bill No 154, entitled, a Bill for An Act to amend An Act, entitled An Act to Amend, Sections 601 and 602 of Gault's Digest, and to limit the power of County Courts, and agents, to make contracts, and regulate Appropriations, Was taken up, and being read the third time, the question was

Shall the Bill pass?

Which was decided in the affirmative

Ayes = 15 Noes = 8

The following Senators voted in the affirmative

Messrs Blackwell, Bunch, Campbell, Hayscock
Hicks, House Johnson, Bert Mulkey Randall
Stanford, Sullivan, Williams, Wilson and
Mr. President.

In the negative, Messrs. Armstrong
Chisum, Crowley, Ferguson Harris, Norman
Reagan, and Tipton.

Absent, Messrs Duffin, East Hampton Judkins
Rumrington, Sims and Tobey.

So the Bill passed.

The title of the Bill was read and adopted.

H.B. 180 On motion of Senator Mulkey the rules were
suspended and House Bill No 180. was taken
up and read the first time, and on motion
of Senator Williams, the rules were further
suspended and the Bill was read the second
time, and on motion of Senator Throover,
was laid on the table.

S.B. 136 Senate Bill No 136, entitled, "An Act to amend
Section 4129, of the revised statutes, of the State of
Arkansas" was taken up, and being read the
third time, the question was,

Shall the Bill pass?

which was decided in the affirmative

Ayes = 21 Noes = 6

The following Senator voted in the affirmative

Messrs Armstrong Blackwell Bunch Campbell
Chisum, Crowley, Duffin East. Ferguson Hampton
Harris Hayscock, Bert Mulkey, Norman Stanford
Sullivan, Throover, Tipton Williams, and Wilson

In the negative. Messrs Hicks, House Johnson
Purdall, Reagan and Mr President.

Excused from voting, Messrs Sims and Tobey.

Absent: Messrs Judkins and Huntington.

So the Bill passed.

The title of the bill was read and adopted.

S. B. 43 Senate Bill No 43, was taken up, and read the
third time, and on motion of Senator Tobey, indef-
initely postponed.

S. B. 135 Senate Bill No. 135 entitled, An act providing before
whom affidavits may be made, by applicants for do-
nations of land.
Was taken up, and being read the third
time, the question was.

Shall the Bill pass?

Which was decided in the affirmative.

Ayes = 23, Noes = 3.

The following Senators voted in the affirmative.

Messrs Blackwell, Campbell Cheen Crowley Sufferin
Enguson, Houghton Horris, Haycock, Hicks, House
Johnson Kerr, Norrman, Reagan Sims, Stanford
Sullivan, Tipton Tobey, Williams, Wilson, and
Mr President.

In the negative, Messrs Brounstead, Bunch
and Purdall.

Absent: Messrs East, Judkins Mulken Huntington
and Throwing.

So the Bill passed.

The title of the Bill was read and adopted.

On motion of Senator Hicks, Major James H. Sparks, was invited to a seat within the bar of the Senate.

S. B. 172 On motion of Senator Crowley, the rules were suspended, and Senator Crowley, introduced Senate Bill No 172, entitled A Bill for an Act to be entitled An Act, to pay the registrars and receivers of the Canadian district of the land office of the United States, certain fees, in pursuance of "an Act of Congress, approved July 1st 1864."

The Bill was read the first time and on motion of Senator Crowley, the rules were further suspended and the Bill was read the second time and referred to the Committee on State Lands.

S. B. 134 Senate Bill No 134 entitled a Bill for "An Act to be entitled An Act, to enable the makers and third parties, to avoid numerous contracts and liens."

Was taken up, and being read the third time, the question was

Shall the Bill pass?

Which was decided in the negative

Ayes = 13 Nays = 14

The following Senators voted in the affirmative

Messrs. Burck, Suffin, Ferguson, Harris Hicks, Kerr, Mulkey, Pindall, Throver, Tipton, Tobey, Wilson, and Mr President.

In the negative, Messrs. Armstrong, Blackwell, Campbell, Chism, East, Haycock, Horner, Johnson, Norman, Reagan, Sims, Stanford, Sullivan and Williams.

Absent, Messrs. Crowley, Hampton, Judkins and Pennington.

So the Senate refused to pass the Bill

On motion of Senator Norman the Senate adjourned
until to-morrow^{morning} at 9 O'clock
Approved

Jacob English
Secretary

James H. Jones
President

Senate Chamber
 Little Rock
 Tuesday March 6th 1897

The Senate met pursuant to adjournment at 9 o'clock A. M., and was called to order, by Hon. J. H. Jones President of the Senate.

The roll was called by the Secretary, and the following Senators were found to be present.

Messrs. Armistead Blackwell Burch Campbell Chism
 Crowley Ferguson Hampton Harris Haycock Hicks House
 Johnson Kerr Mackey Norman Penball Reagan Sims
 Sullivan Tepton Tobey Williams Wilson and Mr President.

Absent. Messrs. Suffie East Judkins Cunningham
 Stanford Throner

A Yorum present.

Prayer by Rev. S. G. Colburn of Lonoke

The Journal of the preceding day, was read, approved, and signed by the President and Secretary

H. B. 180

On motion of Senator East, the rules were suspended and House Bill No 180, entitled "A Bill entitled an act to be entitled An Act, to donate all the lands forfeited to the State, for non-payment of taxes, and all the swamp and overflowed lands, lying in the Counties of Clark Dallas, Ouachita and Union, for the purpose of aiding in the construction of the Ouachita Valley Railroad, and Ouachita Valley Extension Railroad through said Counties."

was taken up and read for information

Senators, Suffie East Judkins, Stanford and Throner answered to their names.

Senator Throner moved to amend the Bill by striking out Ouachita County

Senator Duffie moved to amend the amendment by adding the county of Dallas.

On motion of Senator Tobey, Judge Soley of Indiana was invited to a seat within the bar of the Senate.

On motion of Senator Chism, Gen. McMillan was invited to a seat within the bar of the Senate.

N.B. 62
At 10 O'clock, the President announced special order, the consideration of House Bill No 62, which was, on motion of Senator Johnson, postponed, until House Bill No 180, should be disposed of.

A message was received from the House of Representatives by assistant Clerk, Holland, as follows:

Hall House Representatives
March 6th 1877

Mr. President:

I am instructed by the House of Representatives to inform your honorable body, of the passage by the House of Senate Joint Memorial No 1, "asking for the establishment of a postal Route, from Beebe, in White County, to Rose Bud in said county."

Also of the passage of House Bill No 149, entitled "a Bill for an act to change the lines between the counties of Sharp and Izard."

Also, of the passage of House Bill No 189 entitled "a Bill to be entitled" an act to repeal an act, entitled "an act to donate all the lands forfeited to the State, for the non-payment of taxes, and all the swamp and overflowed lands, lying in the counties of Franklin, Crawford, Washington, Benton and Madison, to said counties, for the purpose of aiding in the construction of a Railroad through said section," approved December 9th 1875, so far as the same relates to the counties of Franklin and Benton."

Also, of the passage of House Bill No 197 entitled "an act to define the boundary lines of the city of Little Rock Ark."

Also, of the concurrence by the House, in Senate Amendment to House Bill No. 6 entitled, "an act to reduce the taxes."

Also of the concurrence by the House in Senate amendment to House Bill No. 72 entitled "An act to provide for improving the streets and alleys, and public grounds of cities of the second class, in this State."

all of which
is respectfully transmitted

Thos. W. Newton

Clerk

A message was received from the House of Representatives, as follows:

Hall House Representatives
March 6th 1877

Mr. President:

I am instructed by the House of Representatives, to inform your honorable body of the passage by the House of House Bill No 117 entitled "An act to fix the number and salaries of clerks and employees of the different State departments."

Also of the passage of Senate Joint Memorial No 2 "for the improvement of the St. Francis River"

And herewith respectfully transmit the same for your favorable consideration

Thos. W. Newton

Clerk.

H. B. 180.

Senator Williams moved the previous question on the motion to adopt the amendment to the amendment to House Bill No 180. when the question was

Shall the main question be now put?

which was decided in the affirmative

The question then was, shall the amendment to the amendment be adopted.

Senator Duffin called for the Ayes and Noes

the call was sustained, when the roll was called and the question decided in the affirmative

Ayes = 16 Noes = 11

The following Senators voted in the affirmative

Messrs. Blackwell, Bunick, Chas. Crowley, Daffin, Ferguson, Harris, Haycock, Hicks, Horner, Judkins, Pindall, Sallaman, Tipton and Tabor.

Those voting in the negative were:

Messrs. East, Hampton, Johnson, Mulkey, Norman, Reagan, Sims, Stamford, Williams, Wilson and Mr. President

Absent, Armistead, Kerr, Pennington and Throost.

On motion of Senator Mulkey the Bill and amendments were laid on the table.

A message was received from ~~received from~~ the House of Representatives as follows:

Hall House of Representatives
March 6th 1897

Mr. President:

I am instructed by the House of Representatives to inform your honorable body, of the passage by the House of House Substitute, for Senate Bill No 155 entitled "An Act to alter the 5th, 7th and 8th, Judicial circuits of the State of Arkansas," and to create the Tenth Judicial Circuit, and fix the times for holding Courts, in the counties comprising said Circuit."

and herewith, return said substitute together with original Bill.

Thos. W. Newton

Clk.

S. B 149
H. B 1

At 11:30 the President announced Special order, the consideration of Senate Bill No 149, and House Bill No. 1.

On motion of Senator Throost, the Special order was passed over for the present.

A message was received from the Governor, as follows:

State of Arkansas
Executive Office
Little Rock March 6th 1897

Mr. President

I have this day approved and signed

Senate Bill No 12 "An Act to authorize the several counties in this State, to fund their outstanding indebtedness, evidenced by bonds of said Counties; heretofore issued."

H. R. Miller
Governor

On motion of Senator Williams, the special orders were postponed for the purpose of taking up House Bills, on their first reading.

Senator Campbell submitted the following report.

Mr. President:

The Committee on Enrolled Bills have examined Senate Bill No 12, and have docketed me to report the same, correctly enrolled. Said Bill has been signed by the Speaker of the House of Representatives the President of the Senate, and delivered to the Governor for his consideration, March 6th.

John Campbell
Chairman

The President submitted the petition of Hilden E. Knight, asking to withdraw the papers, in the case of his claim against the State.

On motion of Senator Hicks, permission was granted, for the withdrawal of the papers

03 196 House Bill No 196, entitled "An Act to amend and reenact, Section 2 of An Act, entitled An Act to authorize the State Board of Finance, to borrow money to pay, the expenses of the State Government, and to pledge the bonds of the State, as security." Approved November 16th 1875.

was taken up and read the first time, and on Motion of Senator Kerr, the rules were suspended, and the Bill was read the second time, and referred to the Committee on Finance.

03. 194 House Bill No 197 entitled "An Act to define the boundary lines of the City of Little Rock Ark."

Was taken up and read the first time, and on motion of Senator Williams, the rules were suspended, and the bill was read the second time.

Senator Houghton moved to refer the Bill to the Committee on Corporations, the motion was put by the President and lost.

On motion of Senator Williams, the Bill was made the special order for 11 O'clock to-morrow.

A message was received from the House of Representatives as follows:

Hall House Representatives
March 6th 1877

Mr. President:

I am instructed by the House of Representatives, to inform your honorable body, of the passage by the House, of House Bill No 212 entitled "a Bill to be entitled An act to provide for the employment and hiring of County Coroner, and prescribing the duties and fees of officers charged therewith

also of the passage of House Bill No 202 entitled "a Bill to be ^{intituled} An act providing for the expenses of the Executive, Legislative and Judicial Departments of the State Government."

And herewith respectfully transmit the same for your favorable consideration.

Thos. W. Newton
Clerk

H.B. 149

House Bill No 149 entitled "a Bill for an act to change the line between the counties of Sharp and Izard."

Was taken up and read the first time, and on motion of Senator Tipton, the rules were suspended, and the Bill was read the second time, and referred to Committee on County and County Lines.

H.B. 202

House Bill No 202 entitled, "a Bill to be entitled An act providing for the expenses of the Executive, Legislative, and Judicial departments of the State Government."

Was taken up and read the first time, and on motion of Senator Norman the rules were suspended, and the Bill was read the second time and referred to a committee of the whole, at 7:30 P. M.

Senator Campbell made the following report:

Mr. President:

The Committee on Enrolled Bills have examined Senate Bills No 80 and No 117 and have instructed me to report both Bills, correctly enrolled. Said Bills have been signed by the Speaker of the House, the President of the Senate, and delivered to the Governor, this 1st day of March 1877.

John Campbell
Chairman

A message was received from the House of Representatives as follows:

Hall House of Representatives
March 6th 1877

Mr. President:

I am instructed by the House of Representatives to inform your honorable body of the passage by the House of Senate Bill No 156 entitled, "An Act, to extend the time for the collection of taxes, on the tax books of Monroe County, for 1876, till the 1st day of July 1877."

and herewith respectfully transmit the same, for your favorable consideration.

Thos. W. Newton
Clerk

S. S. B.
155

House Substitute for Senate Bill No 155, to be entitled "An Act, to alter the fifth seventh and eighth Judicial Circuits of the State of Arkansas and to create the twelfth Judicial Circuit, and to fix the times for holding Courts, in the Counties composing said Circuits."

Was taken up and read the first time and on motion of Senator Herr, the rules were suspended, and the Bill was read the second time and made the special order for to-morrow immediately after reading the Journal.

Senator Johnson submitted the following report

Mr. President:

Your Committee on engrossed bills beg leave to report, that they have had under consideration, Senate Bill No 169 and find the same correctly engrossed.

Which is respectfully submitted.

Johnson

For Committee

H.B. 132 House Bill No 132 entitled "An act fixing the time of holding the Probate Court of Lawrence County"

Was taken up and read the first time, and on motion of Senator Hens, the rules were suspended, and the Bill was read the second time, and made the Special order for 10 O'clock to-morrow.

H.B. 212 House Bill No 212, entitled "An act to provide for the employment and hiring of County Convicts, and prescribing the duties and fees of officers charged therewith."

Was taken up and read the first time, and on motion of Senator Duffie the rules were suspended and the Bill was read the second time, and on motion of Senator Johnson, was made the Special order for 12 O'clock to-morrow.

H.B. 117 Substitute for House Bill No 117 entitled "An act to fix the number and salaries of Clerks and employees of the different State departments."

Was taken up and read the first time, and on motion of Senator Hicks the rules were suspended, and the Bill was read the second time, and referred to the Committee on Finance with leave to report at any time.

Leave being granted Senator Pindall submitted the following report.

Mr. President:

The Committee on the Judiciary to which was referred the question of construction of Section 17, Article 5 of the Constitution, have had the question under consideration and desire me to report: That in the opinion of your Committee, that the term sixty days, as used in said Section, means sixty calendar days - and that this Session of the General Assembly will expire by limitation.

At the end of the 8th day of March, unless continued by a two thirds vote as in said section provided.

Respectfully
X. J. Pundall
Chairman

On motion of Senator Johnson the report was adopted

Leave being granted Senator Daffin submitted the following report

Mr. President:

Your Committee on State Lands, to which was referred Senate Bill No 172 entitled "An act to pay the registrars and receivers of the Canada district of the Land office of the United States, certain fees, in pursuance of an act of Congress, approved July 1st 1864."

I have considered the same and I am instructed to report the same back, and recommend its passage.

Respectfully Submitted

M. M. Daffin
Chairman

S. B 172 On motion of Senator Daffin, Senate Bill No 172 was made the special order for 12:30 O'clock to-morrow.

Leave being granted, Senator Bunck submitted the following report:

Mr. President:

Your Committee on Railroads and other internal improvements, to which was referred House Bill No 200, entitled "An act to amend section 4998 of South's Digest," have had the same under consideration and recommend the following amendment, viz: Strike out after the word "than" in ninth line of section one, the words "this act provides" and insert the words "that prescribed by law," and as thus amended recommend its passage.

Bunck
Chairman

H. B. 200

The Amendment was read the first time, the rules were suspended, and the Amendment was read the second time and adopted, and House Bill No 200, was made the special order to 10:30 to-morrow.

H. B. 189

House Bill No 189 was taken up and read by title.

Senator East moved that the Bill be indefinitely postponed.

The motion was put and lost, and on motion, the Bill was laid on the table.

H. B. 187

On motion of Senator Tobey the rules were suspended, and House Bill No 187 entitled "A Bill to be entitled An act to define and establish the lines between the Counties of Pope and Johnson."

Was taken up and being read the third time, the question was.

Shall the Bill Pass?

Which was decided in the affirmative.

Ayes = 21 Nays = 0.

The following Senators voted in the affirmative.

Messrs Armstrong Blackwell Baret Campbell Chism Duffin East Ferguson Haycock Hicks Johnson Judkins Kerr Menden Norman Pindall Smith Tipton Tobey Williams and Mr President.

In the negative none.

Absent, Messrs Crowley Houghton Harris, House Perrenington Reagan, Stanford Sullivan Throner, and Wilson.

So the Bill passed.

The title of the Bill was read and adopted.

On motion of Senator Johnson, the Senate took a recess until 7:30 P. M.

After Recess

The hour of 7:30 O'clock P. M. having arrived, the President called the Senate to order.

The roll was called and the following Senators were found to be present:

Misses. Blackwell Bunch Campbell Chism Duffin
Ferguson Hampton Harris Haycock Hicks Judkins Kerr
Pindall Reagan Tepton Williams Wilson ^{and} Mr President.

Absent, Messes. Corwin, East, Houser Johnson Macken
Norman Pennington Stanford Sullivan Thorrington & Tobey

A quorum present.

H. B 202 The President announced special order, the
Consideration of House Bill No 202 in committee of the whole

On motion of Senator Pindall, the special order
was passed out for the present

S. B 50 On motion of Senator Pindall the rules were
suspended and Senate Bill No 50. was taken
up and read by title.

Senator Pindall introduced as a substitute for the
Bill, "an act to regulate certain Judicial Circuits
of the State."

The Substitute was read the first time, and
on motion of Senator Pindall, the rules were
suspended and the Substitute, was read the second
time.

Senator Williams moved to amend by inserting
after the word "the" in the last line, the words
"day before the".

On motion of Senator Williams, the amendment
was adopted

On motion of Senator Pindall, the Substitute
was adopted.

Senator Haycock moved to amend by striking out "Two Thous and" and inserting in lieu thereof, "Two Thous and Four Hundred" in line 3 Section 10, after the word "be"

The amendment was read the first time, and on motion the rules were suspended, and the amendment was read the second time.

Senator Haycock moved that the amendment be adopted.

On this motion the yeas and nays were called for.

The call was sustained, when the roll was called and the motion lost.

Yeas = 3 Nays = 19

The following Senators voted in the affirmative

Messrs Haycock Johnson and Throner

In the negative were.

Messrs Armstrong Blackwell Buich, Campbell Chas. Duffin Ferguson Harris Hicks Judkins Kerr Mulkey Prudell Reagan Sullivan Tipton Williams Nilson and Mr President

Absent, Messrs Crowley East House Norman Pennington Sims, Stanford and Tobin.

So the Senate refused to adopt the amendment.

A message was received from the House of Representatives as follows

Hall House Representatives
March 6th 1877

Mr. President

I am instructed by the House of Representatives to inform your honorable body of the passage by the House, of House Bill No 70 entitled, "a Bill entitled An act, to amend sections 135, 136 and 138, of Miller's Digest of the revenue laws of the State of Arkansas."

Also of the passage of Senate Bill No 143
entitled "a Bill for an Act. for the relief of
Chesly Pagers of Jackson County Arkansas."

Also of the passage of Senate Bill No 129
entitled "a Bill for an Act to be entitled
an Act. to authorize and direct the Com-
missioner of State Lands, to sell the property
known as the Arkansas Institute for the Blind
situated in the City of Arkadelphia Arkansas
with the following amendment. "Add to Section
One as follows: "Provided that the property
shall be appraised by three disinterested citizens
and shall not sell for less than two thirds of
its appraised value", in which the concurrence
of your Honorable body, is respectfully requested
and herewith respectfully transmit the same
for your favorable consideration

Thos. H. Newton
Clerk

A message was received from the Governor
by Genl. James M. Pomeroy, as follows:

State of Arkansas
Executive Office
Little Rock March 6th 1877.

To the President of the Senate

Mr President:

I have this
day approved and signed the following named
Acts.

S. B. 80

Senate Bill No 80, "an Act to provide for
the publication of a statement of the receipts and
expenditures of the public money."

S. B. 117

Senate Bill No 117, "an Act to prevent the
sale of unions or alcoholic liquors within a
distance of three miles of the town of El Dorado
in the County of Union."

J. R. Miller
Governor

On motion of Senator Armstrong, Messrs Jno. J. Walker and George Ross, were invited to seats within the bar of the Senate.

Senators Irwin and Norman were excused for absence on account of illness.

J.B. 50

On motion of Senator Pridgen Substitute for Senate Bill No 50 was made the special order for to-morrow morning after the reading of the Journal.

Leave being granted, Senator Armstrong submitted the following report,

Mr President:

The Committee on Finance, to which was referred House Bill No 117 "An act to fix the number and salaries of Clerks and employees of the different departments."

Have after careful consideration, made the following amendments thereto, to wit: Amend section one, by substituting the following section in lieu of it, "Section one. The Governor is authorized and is hereby empowered to employ in connection with his office, One private Secretary, at a salary of One hundred and twenty five dollars per month. One Adjutant General, who shall perform any duties required of him by the Governor, at a salary of One hundred dollars per month. And one Janitor, at a salary of twenty dollars per month.

Amend Section 2, by striking out the word "twenty" in line 7 of said Section 2 and insert the word "five"

Amend Section 3 by striking out the words "twenty five" in lines 4 and 5, after the word "and" in line 4, and insert in line thereof, the word "fifty"

Also strike out the word "two" in the second line from the bottom of the first page, and insert the word "one" Strike out "Clerks" after the said word "two" and insert "Clerk" in line thereof, and strike out the word "each" between the first and second line from the bottom on first page

After the words "Salary of" in said section 3, in the first line, second page, strike out "twenty" and insert "ten" in line thereof.

Again, Amend Section 4. In line 5, strike out the word "Ow" and insert "Two", and further strike out "Cluck" in the same line and Section, and insert "Clucks" in line thereof. Add the word "each" after the word month in line 4 of said section 4. After the word "and" in line 4, strike out "Two" and insert "Ow". Also strike out the words "Clucks" "each" in line 8, and insert "Cluck". At the end of section 4, providing for salary of Auditor, strike out "Twenty" and insert "ten" in line thereof.

Amend Section 5.

After the words "Ow hundred" in line 4, add "and twenty five". Also strike out the word "Two" in line 5, and insert in line thereof, the word "one". Strike out the word "Clucks" at the end of line 5 and insert "Cluck". Between the lines 6 and 7 strike out the word "each". And further Amend, - After the word month, in line 7, add the words "And one cluck", "at twenty five dollars per month."

The passage of the Bill as amended, is recommended

Admitted
for Committee

The amendment was read the first time, and on motion of Senator Bunch the rules were suspended and the amendment was read the second time, and on motion of Senator Kirt the Bill and amendment, made the special order for 11 O. Clock to-morrow

Leave being granted, Senator Wilson made the following report:

Mr President,

The Committee on Finance, to which was referred House Bill No 196, "An act to amend and re-enact Section 2 of an Act, entitled An Act to authorize the State Board of Finance to borrow money to pay the expenses of the State Government &c"

Have had the same under consideration and have made the following amendments thereto to wit:

In section one line one, add after the word "Twenty" the word "Five". In line 6, same section, strike out, "Two Hundred and fifty" and insert in line thereof the words "Three Hundred".

The Bill as amended, is recommended on its passage.

The amendment was read the first time, the rules were suspended, and the ~~amendment~~ ^{amendment} was read the second time, and adopted.

And on motion of Senator Judkins, the Bill was made the special order, for 10:10 A. M. to-morrow.

On motion of Senator Armstrong Hon. B. J. Brown was invited to a seat within the bar of the Senate.

H.B. 202 Under special Order the Senate resolved itself into Committee of the whole, for the consideration of House Bill No 202. Senator Hicks in the Chair.

At 9:30 the Committee rose and through its chairman reported amendments to the Bill. as follows:

Strike out in 2nd clause, the intervening between second and third lines, the words "and the Journal of the present House of Representatives"

The amendment was read the first time, and the rules were suspended and the amendment was read the second time, and adopted.

Also strike out in 5th line of same clause "One thousand" and insert in line thereof "Four hundred".

The amendment was read the first time, and the rules were suspended, and the amendment was read the second time and adopted.

Also, add a new clause, after the proviso of clause "37" which shall be numbered "38". For defraying the expenses of the militia, a sufficient sum, not to exceed One thousand dollars. Provided that no funds shall be disbursed for expenses of the militia, except upon the personal order of the Governor.

The amendment was read the first time; and the rules were suspended and the amendment was read the second time.

Senator Kerr moved to amend the amendment by striking out "One thousand" and insert in lieu thereof, "Five thousand".

The motion was put and lost. And the Senate refused to amend the amendment.

Senator East moved to amend the amendment by striking out "One thousand" and inserting "Four thousand".

The motion was put and lost and the Senate refused to amend the amendment.

On motion the amendment was adopted.

Also add to the end of Section 4,

these words
"This act shall not be construed to affect the payment of claims already duly approved in accordance with law, and payable out of such appropriation, or of claims upon the balance remaining on hand, out of the appropriation to provide for a proper representation of the State at the Centennial Exhibition, which may be approved by the proper authorities who contracted the obligations and shall thereafter be countersigned by the Governor of the State".

The amendment was read the first time; and the rules were suspended and the amendment was read the second time and adopted.

Senator Williams moved that the Bill be made the special order for 12:10 A. M. Tomorrow.

The motion was put and lost.

Senator Williams moved to make the Bill a special order, after prayer by the Chaplain tomorrow morning.

The motion was put and lost.

On motion of Senator Judkins the Bill was made
the special order for 10:50 A. M. to-morrow

H. B. 62

House Bill No 62 submitted a Bill entitled an act to
amend sections 24515 of Grout's Digest, was taken up and
being read the third time, the question was

Shall the Bill pass?

Which was decided in the affirmative

Ayes = 16 Noes = 5

The following Senators voted in the affirmative

Messrs Armstrong, Blackwell Chas Crowly, Duffie
East Ferguson Hicks Judkins Kerr Puddall Reagan
Sullivan Tipton Wilson and Mr President.

In the negative

Messrs Burch Campbell Harris Haycock & Williams

Absent. Messrs Hampton House Johnson Mulkey Norman
Pennington Sims Stauffer & Strom and Joley.

So the Bill passed

~~The~~ title of the Bill was read and adopted

Senator Judkins moved to adjourn

The motion was put
and lost.

And the Senate refused to adjourn

S. B. 124

Senate Bill No 124 was taken up and read by title

Senator Hicks moved to amend by striking out the word
"twenty"

And insert in lieu thereof the word "six".

the amend-
ment was read the first time.

Senator East moved to postpone the Bill indefinitely

and on this motion Senator Williams called for the Ayes & Noes.

The call was sustained.

The roll was called, and the meeting lost.

Ayes = 5 Noes = 16.

The following Senators voted in the affirmative

Messrs Crowley, East, Haycock, Judkins & Prudall

In the negative

Messrs Armstrong, Blackwell, Bunch, Campbell, Chism, Duffin, Ferguson, Harris, Hicks, Johnson, Reagan, Sullivan, Tipton, Williams, Nelson and Mr President.

Absent, Messrs Hampton, House, Kerr, Mulhony, Norman, Pennington, Sims, Stanford, Storrow and Tobey.

So the Senate refused to indefinitely postpone the Bill

On motion the rules were suspended and the amendment was read the second time

Senator Jones moved to amend the amendment, by striking out "Six" and inserting "ten" in lieu thereof.

The amendment to the amendment was adopted

And on motion the amendment, as amended, was adopted and the bill was ordered engrossed

B. 149

Senate Bill No 149 was taken up and read by title.

On motion of Senator Williams the Bill was postponed for the purpose of taking up House Bill No 1 ~~submitted~~

B. 1

House Bill No 1 entitled "A Bill to be entitled An act to regulate the filling of vacancies in office, in certain cases, and to define the same."

was taken up and being read the third time, the question was

Shall the Bill pass?

Which was decided in the affirmative

Ayes = 13 Nays = 6.

The following Senators voted in the affirmative

Messrs Campbell Chism East Harris Hicks Jenkins
Russell Reagan Sullivan Tipton Williams Nelson and
Mr President

In the Negative

Messrs Armistead Buich Crowley Ferguson Haycock
and Johnson.

Excused from voting. Senator Blackwell

Absent, Messrs Duffin Hampton House Kent Mullen, Norman
Remington Sims Stauffer Throckmold and Tobey

So the Bill passed

The title of the Bill was read and adopted

On motion of Senator Williams Senate Bill No 149
was indefinitely postponed.

S. B. 129

On motion of Senator East, Senate Bill No 129
was taken up and House Amendment to the Bill
was read the first time.

The rules were suspended
and the amendment was read the second time and
the Bill was made the special order for 10 O'clock
tomorrow

H. C. R. 10

Leave being granted House Concurrent Resolution
No 10 "Providing for ascertaining and adjusting the
indebtedness of the State."

Was taken up.

Senator Buich moved to adjourn

the motion was put
and lost; and the Senate refused to adjourn.

38
The resolution was read the first time.
The rules were suspended and the resolution was
read the second time.

2 R 19 Senator Williams submitted, Senate Concurrent
resolution No 19. "Relative to adjournment."

The resolution was read, and laid on the table
subject to call.

2 R 19 Senator Johnson submitted, as a substitute
Senate Concurrent resolution No 19. "Relative to
Adjournment."

The resolution was read and laid
on the table subject to call.

On motion of Senator Duffin, the Senate
adjourned until 9:00 clock, to-morrow morning,
approved

David T. Welch
Secretary

James H. Jones
President.

Senate Chamber

Little Rock Ark
Wednesday Jan'y 4th 1877.

The Senate met pursuant to adjournment, at 9 O'clock A. M., and was called to order by Hon. John Jones, President.

The roll was called by the Secretary, and the following Senators were found to be present:

Messrs. Armstrong Blackwell Burch Campbell Chism Crowley
Ferguson Hampton Harris Hicks Homer Kerr Pridall Reagan
Sims Sullivan Tipton Tobey Williams Wilson & Mr. President.

Absent. Messrs. Duffie East Haycock Johnson Judkins
Mullen Norman Pennington Stanford and Throver.

A quorum present.

Prayer by Rev. J. H. Buchanan, Chaplain.

The Journal of the preceding day was read, approved, and signed by the President and Secretary.

On motion of Senator Kerr, it was referred to the Judiciary Committee, to determine and report to the Senate, the time of expiration of the office of President of the Senate, and to define his duties, as to signing the records &c.

Senator Campbell submitted the following report.

Mr. President.

The Committee on Enrolled Bills have examined Senate Bill No 154, - Senate Joint memorials Nos. 1 and 2, and directed me to report, each, correctly enrolled. Said Bill and memorials, have been signed by the Speaker of the House, the President of the Senate, and delivered to the Governor, for his consideration, this March 7th 1877.

John Campbell
Chairman

S O B
155

House Substitute for Senate Bill No 155 entitled
"An act to alter the 5th and 8th Judicial
Circuits of the State of Arkansas: and to create
the 12th Judicial Circuit, and to fix the time for
holding courts in the counties comprising said circuits."

Being the special order for this hour, was
taken up: and being read the third time, the question was

Shall the Bill pass?

Which was decided in the affirmative

Ayes = 24 Nays = 2

The following Senators voted in the affirmative

Messrs. Amistead. Beach Cheam Crowley Duffin
Ferguson Haupten Harris Haycock Hicks Hower
Johnson Judkins Kerr Mulkey Pindall Reagan
Sims Staafora Sullivan Tobey Williams Wilson
and Mr President.

In the negative Messrs Blackburn & Campbell
Excused from voting Senator Tipton

Absent Messrs East, Norman Cunningham and
Throner.

So the Bill passed

The title of the Bill was read and approved.

S. S. S. B
511

Senate Substitute for Substitute for Senate Bill
No 50, entitled, "An act to regulate certain Judicial
Circuits of the State"

Being special order for this
hour, was taken up: and being read the third
time, the question was,

Shall the Bill pass?

Which was decided in the affirmative

Ayes = 20 Nays = 4

The following Senators voted in the affirmative

Misses Armistead Bunch Crowley Duffie Ferguson
 Harris Hicks Homer Judkins Kurt Muehlen, Pridall Reagan
 Sciss Stanford, Sullivan Tipton Tobey Williams Wilson

In the negative.

Misses Blackwell Campbell Haycock and
 Mr. President.

Excused from voting, Senator Chism.

Absent, Misses East, Hampton Johnson Norman, Pennington
 and Throout.

So the Bill passed.

The title of the Bill was read and approved.

On motion of Senator Williams, Senator Norman was
 excused on account of illness.

H. B 132 House Bill No 13 - entitled "An act fixing the time
 of holding the Probate Courts of Lawrence County."

Being special order for this hour, motion up and
 being read the third time, the question was.

Shall the Bill pass?

which was decided in the affirmative.

Ayes 25 Nays 0

The following Senators voted in the affirmative

Misses. Armistead Blackwell Bunch Campbell Crowley
 Duffie Ferguson Hampton Harris Haycock, Hicks Homer
 Judkins Kurt Muehlen Reagan Sciss Stanford Sullivan
 Throout Tipton Tobey Williams Wilson and Mr President.

In the negative None

Absent, Misses Chism East, Johnson Norman Pennington Pridall.

So the Bill passed

the title of the Bill was read and approved.

Senator East assumed his name.

S.B. 129 Senate Bill No 129 entitled, "a Bill for an act to authorize the Commissioners of State Lands, to sell the property known as the Arkansas Institute for the Blind in Arkadelphia, Clark County Arkansas."

Being special order for this hour, was taken up and House amendment, was read the third time and concurred in.

Ayes = 26 Noes = 0

The following Senators voted in the affirmative

Messrs Armstrong Blackwell Burch Campbell
Crowley Duffie East Ferguson Hampton Harris Haycock
Hicks House Juddins Kerr Mackey Pindall Reagan
Simms Stauffer Sullivan Tipton Tobey Williams
Wilson and Mr President.

In the negative none

Absent, Messrs Chism Johnson Norman Pennington and
Thornet

~~So the Bill passed~~

~~The title of the Bill was read and adopted.~~

Senator East moved to suspend the rules and
take up House Bill No 180.

The motion was put
and lost.

And the Senate refused to suspend
the rules.

Senator Williams moved that the special orders
be taken up in their order.

which motion being put,
was adopted

H. B. 196 House Bill No 196 entitled An act to amend
and re-enact Section 2 of an Act entitled
An act to authorize the State Board of Finance
to borrow money, to pay the expenses of the State
Government, and to pledge the bonds of the State
as security. Approved November 16th 1875.

Was taken up: and being read the third time the question was.

Shall the Bill pass?

Which was decided in the affirmative

Ayes = 21 Nays = 2

The following Senators voted in the affirmative

Messrs Armstrong Blackwell Bunch Campbell Daffin
Bryantson Hampton Harris Hicks Johnsons Hoyt Mulken Pindall
Reagan Sims Sullivan Throner Tipton Williams, Wilson and
Mr President

In the negative, Messrs Haycock and Houser

Absent. Messrs Chism Crowley East Johnson, Norman, Pennington
Stanford Tobey.

So the Bill passed.

The title of the Bill was read and adopted.

A message was received from the House of Representatives
as follows:

Hall House of Representatives
March 6th 1877.

Mr President:

I am instructed by the House of Representatives, to inform your honorable body, of the passage by the House of House Bill No. 191 entitled,
"A Bill for an act to provide for the support and maintenance of the Deaf Mute Institute."

also, of the passage of House Bill No 193 entitled "A Bill entitled An act making appropriations for the benefit of the Arkansas Industrial University, and for other purposes."

Also the passage of House Bill No 5 entitled,
"A Bill to be entitled" An act to repeal An act entitled An act to amend Section Thirteen Hundred and fifty seven of Gault's Digest. approved January 23^d 1875 and for other purposes."

also of the passage of Senate Bill No 48 entitled "A Bill to be entitled An act to provide for paying balance due, for erecting the Arkansas Industrial University building."

and herewith respectfully transmit the same for
your favorable consideration

Thos. H. Newton
Clerk

H. B 200

House Bill No 200 entitled: "A Bill for an act
to amend section 4998, Chapter 112 of Gault's Digest.
was taken up: and being read the third time
the question was

Shall the Bill pass?

which was decided in the affirmative

Ayes = 23 Nays = 1

The following Senators voted in the affirmative

Messes Armistead Blackwell Bunch Campbell
Crosby Duffie Ferguson Harris Haycock Hicks
Honer Johnson Judkins Kirt Mulkey Pundak
Reagan Sims Sullivan Tipton Williams Wilson and
Mr. President.

In the negative, Senator East

Absent, Messes Chism Hampton Norman Purneyton
Stanford Throned and Tobey

So the Bill passed as amended

The title of the Bill was read and adopted

H. B 202

House Bill No 202 entitled: "A Bill to be intitled
"An Act providing for the expenses of the Executive
Legislative and Judicial Departments of the
State Government."

Was taken up: and being read
the third time, the question was

Shall the Bill pass?

which was decided in the affirmative

Ayes = 23 Nays = 2

The following Senators voted in the affirmative

Messrs Armistead Benich Campbell Crowley Duffin Ferguson
Hampton Harris Hicks Horner Judkins Mulken Puddall Reagan
Sims Stauffer Sullivan Thorne Tipton Tobey Williams Wilson
and Mr. President

In the negative, Messrs. Blackwell & Johnson
Absent, Messrs Chas. East Haycock Kurt Norman & Pennington

So the Bill passed.

The title of the Bill was read and adapted

H. B. 197

House Bill No 197, entitled, "An act to define the boundary
lines of the city of Little Rock Ark." was taken up

Senator Haycock moved to amend by adding the following
"Provided, that nothing in this act, shall be construed
to release in any manner, the taxes already assessed
against the real and personal property by the present
City of Little Rock against the property cut off or
severed from said city by this act"

The amendment was read the first time.

Senator Haycock moved to suspend the rules and read the
amendment the second time.

On motion of Senator Williams the amendment was
rejected

The Bill was then read the third time when
the question was

Shall the Bill pass?

Which was decided in the affirmative

Ayes = 40 Noes 3

The following Senators voted in the affirmative

Messrs. Armistead Blackwell Benich Campbell Duffin
East Ferguson Hampton Harris Hicks Horner Johnson
Judkins Kurt Mulken, Reagan Sims Tipton, Williams and
Wilson.

In the negative Messrs Puddall Stanford and
Mr. President.

Absent, Messrs Chas. Crocker Norman Remington
Sullivan Throver and Mr Tobey.

So the Bill passed

The title of the Bill was read and approved.

H.B. 117

House Bill no 117, "An act to fix the number
and salaries of Clerks and employees of the
different State departments."

Was taken up, and
the following amendment was read the third time
Amend Section 1, by substituting the following
Section in lieu of it.

Section 1. The Governor is
authorized and is hereby empowered to employ in
connection with his office one private Secretary,
at a salary of One hundred twenty five dollars
per month. One Adjutant General, who shall
perform any duties required of him by the Governor
at a salary of One hundred dollars per month.

And one Janitor, at a salary of twenty dollars
per month. Strike out the word "twenty" in line 7 of Sec 2nd and
the word "five". Senator Nelson moved to adopt
the amendment.

Senator Hicks moved to reject
all the amendments reported by the committee,
and on this motion, called for the ayes & noes.

The call was sustained, and the roll was called
and the motion was lost.

Ayes = 9 Noes = 16

The following Senators voted in the affirmative

Messrs Blackwell Daffin Ferguson Harris
Sullivan Tobey Williams and Nelson

In the Negative

Messrs Armstrong Beach
Campbell Crowley Eost. Hampton Haycock
Juddius Kent Pordall Reagenstrom Stauffer
Throver Tipton and Mr President.

Absent Messrs Chas. Crocker Johnson Moulton
Norman Remington

So the Senate refused to reject the amendments.
 Senator East moved to postpone the Bill indefinitely.
 The motion was put and lost.

And the Senate refused
 to postpone the Bill.

The question then was
 on the adoption of the amendment.

Which was decided in the negative
 and the Senate
 refused to adopt the amendment.

The following amendment was read the third time.

Strike out the words "twenty five" in lines 4 and 5
 Section 3, after the word "and" in line 4. And insert
 in line thereof the word "fifty".

And on motion the
 amendment was adopted.

The following amendment
 was read the third time.

Strike out the word "two"
 in the second line, from the bottom of the first page
 and insert the word "one". Strike out "clerk" after each
 word "two" and insert "clerk". And strike out the
 word "each" between the first and second lines from
 the bottom of first page; after the words "Salary of"
 in said Section 3, in first line, second page.
 Strike out "twenty" and insert "ten" in line thereof.

A motion being made to adopt the amendment, was
 put by the President, and lost.

and the Senate refused
 to adopt the amendment.

The following amendment
 was read the third time.

In Section 4, line 5, strike out
 the word "one" and insert "two" and strike out "clerk"
 in same line and section, and insert "clerk"
 add the word "each" after the word "month" in line
 7, of said section 4. After the word "and" in line
 7, strike out "two" and insert "one".

Also strike out the
 words "clerk each" in line 8 and insert "clerk".

At the end of Section 4, strike out "twenty" and
 insert "ten".

On motion the amendment was adopted

The following amendment was read the third time.

Amend Section 5, after the word "One hundred" in line 4, add "and twenty five".

Also strike out the word "two" in line 5, and insert the word "One".

On motion the amendment was adopted

The following amendment was read the third time

Strike out the word "Clicks" at the end of line 5, and insert "Click"

Between lines 6 and 7, strike out the word "each" and further amend. after the word "much" in line 7 add the words "and one click" at twenty five dollars per much.

The motion, being made to adopt the amendment, was put by the President, and lost.

And the Senate refused to adopt the amendment.

Senator Kerr moved to reconsider the vote by which the first amendment to the Bill, (the substitute for section one) was rejected.

The motion was put and lost and the Senate refused to reconsider the vote.

The Bill as amended was then read the third time, when the question was

Shall the Bill pass?

which was decided in the affirmative

Ayes = 20 Nays = 6.

The following Senators voted in the affirmative.

Messrs Armistead Blackwell Bunck, Crowley Duffie
Ferguson Hampton Harris Hicks Huse Johnson, Judkins
Kerr, Reagan Stanford Sullivan Thromer Dipton Williams
and Wilson.

In the negative

Messrs Campbell East
Muckey Pindall Sims and Mr President

Absent Messrs Chism Haycock Norman Remington
and Tobey.

So the Bill passed

The title of the Bill was read and adopted

H. B. 212 House Bill No 212 entitled "An act to provide for
the employment and hiring of county Corriets, and
prescribing the duties and fees of officers charged
therewith."

Was taken up and ^{being} read the third time
the question was

Shall the Bill pass?

Which was decided in the affirmative

Ayes = 13 Nays = 7

The following Senators voted in the affirmative

Messrs Armistead Blackwell Bunck Campbell
Duffie Ferguson Johnson Kerr Muckey, Tobey
Williams, Wilson and Mr President

In the negative

Messrs East Hicks Pindall
Reagan Sims, Thromer and Dipton

Absent Messrs Chism Crowley Hampton Harris
Haycock Huse Judkins Norman Remington
Stanford and Sullivan

So the Bill passed

The title of the Bill was read and adopted

S. B 192 Senate Bill No 172 entitled "a Bill for an act to be entitled an act to pay the registers and receivers, of the Canadian District of the Land Office of the United States, certain fees, in pursuance of an act of Congress approved July 1st 1874."

was taken up and being read the third time the question was

Shall the Bill pass?

which was decided in the negative

Ays=10 Nays=10

the following Senators voted in the affirmative

Messrs Campbell Buffie East. Kerr Russell
Sims Thornt William. Wilson and Mr President.

In the negative

Messrs Armstrong Blackwell
Bunch Ferguson Hampton Harris Hicks Johnson
Judkins. and Tobey.

Excused from voting, Senator Mulkey.

Absent, Messrs Chas. Crowley, Haycock House
Norman, Pennington Reagan Stanford Sullivan
and Tipton

So the Senate refused to pass the Bill

On motion of Senator Williams, the rules were suspended, for the purpose of taking up House Bills No 193 and 191.

Senator Campbell submitted the following report.

Wt. President!

The Committee on Enrolled Bills have examined Senate Bill No 143 and instructed me to report the Bill correctly enrolled. Said Bill has been signed, by the Speaker of the House, the President of the Senate, and delivered to the Governor, for his consecration this 7th March 1877.

John Campbell
Chairman

H. B. 193 House Bill No 193 entitled "A Bill entitled An act making appropriations for the benefit of the Oklahoma Industrial University and for other purposes."

was taken up and read the first time, and on motion of Senator Wilson the rules were suspended and the Bill was read the second time.

Senator Hicks moved to amend the Bill, by inserting "out of any money of the School fund in the Treasury."

The amendment was read the first time.

On motion of Senator Wilson, the amendment was rejected.

On motion of Senator Williams, the Bill was given the special order for to-morrow morning, immediately after the reading of the Journal.

H. B. 191 House Bill No 191 entitled "An act to provide for the support and maintenance of the Deaf Mute Institute." was taken up and

The Bill was read the first time and the rules were suspended, and the Bill was read the second time, and

On motion of Senator Williams was made the special order for to-morrow morning, after the reading of the Journal.

H. B. 78 House Bill No. 78, entitled "An act to provide for ~~compensating persons in cases of a plebiscite before~~ ~~deferring to Congress, the school funds, which have~~ ~~Justice of the Peace~~ ~~been erroneously apportioned to the counties."~~

was taken up, and being read the third time, the question was

Shall the Bill pass?

which was decided in the affirmative

Ayes = 17 Noes = 7.

The following Senators voted in the affirmative

Misses. Bunch Campbell Crowley Duffin East
Houghton Harris House Judkins. Pindall Reagan
Annis Sullivan Tipton Tobey Williams & Wilson

In the negative

Misses Armstrong Ferguson
Hicks Johnson Kerr Shrover and Mr President

Absent. Messrs Blackwell Chism Haycock Mulken
Norman Cunningham and Stanford.

So the Bill passed

The title of the Bill was read and adopted

A message was received from the Governor as follows:

State of Arkansas
Executive Office
Little Rock March 7th 1877.

To the President of the Senate:

Mr. President:

I have approved
and signed the following named memorials and
Acts. -

Senate Joint Memorial No 1. A memorial
asking for the establishment of a postal route
from Beebe, in White County, to Rose Bud, in
Sara County.

Senate Joint Memorial No 2
A memorial asking an appropriation for the
improvement of the St. Francis River

Senate Bill No 156. An act to extend the
time for the collection of taxes, on the tax books of
Mourou County, for 1876, till the first day of July 1877.

"Senate Bill No 143. An act for the relief of
Chas. Payne of Jackson County Arkansas."

H. R. Miller
Governor

Senator Jenkins was called to the chair.

Leave being granted Senator Tipton made the following report.

Mr President:

Your Committee on County and County Lines, to which was referred House Bill No 149 entitled "An Act to change the lines between the counties of Sharp and Izard", have had the same under consideration. I am instructed to report the Bill with the recommendation that it do pass.

Respectfully submitted

Tipton

for Committee

H B 149. House Bill No 149 entitled "A Bill for an Act to change the line between the counties of Sharp and Izard".

Was taken up; and being read the third time the question was,

Shall the Bill pass?

Which was decided in the Affirmative.

Ays = 26. Nays = 0

The following Senators voted in the affirmative

Musser Blackwell Bunck Campbell Browley Buffin East
Ferguson Hampton Harris, Hicks House, Johnson Jenkins
Kerr Muckey Pridall Reagan Sims, Stanford Sullivan
Thomson Tipton Tobey Williams and Wilson.

In the Negative None

Excused from voting, Senator Armstrong

Absent, Chas Haycock Norman Pinnington & Mr President

So the Bill passed

The title of the Bill was read and adopted

On motion of Senator Hicks, the Senate took a recess until 2:30 P. M.

After Recess

At 2:30 P. M. the Senate was called to order by the President.

When the roll was called and the following Senators were found to be present.

Messrs. Blackwell Bunck Campbell Crowley Saffin
Ferguson Hampton Harris Houser Jenkins Mulkey
Pineall Sims Stauffer Sullivan Tipton Tobey Williams
Wilson and Mr President.

Absent. Messrs Armstrong Chas East Haycock
Hicks Johnson Kent Norman Pummington Reagan
and Throner.

A quorum present.

On motion of Senator Jenkins, the vote by which
Senate Bill No 172 was defeated, was reconsidered.

Senators Armstrong and Reagan answered to their names.

B 172 On motion of Senator Pineall, Senate Bill No 172
was taken up and the question again was

Shall the Bill pass?

which was decided in the negative.

Ayes = 11 Nays = 11

The following Senators voted in the affirmative

Messrs Campbell Crowley Saffin Jenkins Mulkey
Pineall Sims Stauffer Throner Tipton and
Mr President

In the negative

Messrs Armstrong Blackwell
Bunck Ferguson Hampton Harris Hicks Johnson
Sullivan Tobey and Williams

Is the Senate Prepared to pass the Bill

Senator Jobny submitted the following resolution

Mr. President:

Whereas, It is publicly stated by the Gazette, a paper published in Little Rock: and in the New Era, a paper published in St. Smith:

That the Committee appointed by ^{the general} Assembly in November 1874, to investigate the manner of the election of Stephen H. Dorsey, to a seat in the Senate of the United States, did not do its full duty in procuring testimony in the case, and

Whereas, It has been charged by these papers, that the Chairman, or Committee, or both, withheld some part of the evidence, and

Whereas, It has been frequently charged by the latter paper, and others that neither the Court, nor a Democratic Assembly dared to fully investigate the matter, lest it might implicate Democrats high in office, and

Whereas, Mr Dorsey has yet two years, to serve in the Senate of the United States.

Therefore, In justice to the late Committee, to the late Assembly and to the late Governor of the State,

Be it resolved, That a Committee of three be selected or appointed by this Senate, to thoroughly investigate the whole matter, including the conduct of the late Committee and particularly its Chairman

That the usual powers to send for persons and papers be conferred on said Committee of three and that to save time and expense, the Committee be requested to procure as complete lists of witnesses as possible, before meeting, and when their labors are completed, that they report to the Secretary of State, with directions to publish the same to the world

Jobny
of Pope

On motion of Senator Haycock, the resolution was referred to the Committee on Federal Relations, —

3
A message was received from the House of Representatives

Mr President:

Hall House Representatives

March 4th 1877

I am instructed by the House of Representatives, to inform your honorable body of the concurrence, by the House, in Senate amendments to House Bill No 196 entitled

"An Act to amend and re-enact Section 2, of an Act entitled

"An Act to authorize the State Board of Finance to borrow money, to pay the expenses of the State Government, and to pledge the bonds of the State as security, approved November 16, 1875"

Also of the concurrence by the House in Senate amendments to House Bill No. 502 entitled

"A Bill to be entitled An Act to provide for the expenses of the Executive, Legislative and Judicial departments of the State Government."

Also of the passage of House Substitute House Bill No 57 entitled

"An Act to provide for the support and maintenance of the Arkansas Institute for the education of the Blind"

which is Respectfully Submitted

Thos. H. Newton
Clerk

1, B 54
On motion of Senator Williams the rules were suspended and Substitute for House Bill No 57, entitled

"An Act to provide for the support and maintenance of the Arkansas Institute for the education of the Blind"

was taken up and read the first time, and the rules were further suspended and the Bill was read the second time and made the special order for to-morrow's first reading the Journal.

Senator Campbell submitted the following report.

Mr. President:

The Committee on Enrolled Bills have examined House Substitute for Senate Bill No 155 and instructed me to report the same, correctly enrolled.

Said Bill has been signed by the Speaker of the House the President of the Senate and delivered to the Governor for his consideration, this 7th day of March 1877.

John Campbell
Chairman

Senator Tipton submitted the following report.

Mr. President:

Your Committee on Engrossed Bills to which was referred Senate Bill No 124 entitled "An Act to fix the salaries of State officers, and the per diem of members of the General Assembly, and the number and salaries of the different departments of the State Government," have considered the same and find it correctly engrossed, and would recommend the following Amendment, viz: "Strike out the word 'employment' in line 6, Section 3, and insert in lieu thereof the word 'enrolment'."

Respectfully Submitted
Tipton
Chairman

On motion of Senator Hicks the rules were suspended
S B 124 and Senate Bill No 124 entitled

"An Act to fix the salaries of State officers, and the per diem of members of the General Assembly, and the number and salaries of the different departments of the State Government."

Was taken up, and on motion of Senator Hicks, the rules were suspended, and the Bill being read the third time the question was

Shall the Bill pass?

which was decided in the affirmative

Ayes = 13 Nays = 8

The following Senators voted in the affirmative

Messrs Blackwell Bunch Campbell Duffer
Garrison Hampton Harris Hicks Hower
Jones Sullivan Tipton and Williams

In the negative

Messrs Armstrong Haycock
Judds Kerr Mulkey Purdall and Wilson

Absent, Messrs Chas Cowley East Johnson
Norman Pennington Reagan Throner Tobey
and Mr President.

So the Bill passed

The title of the Bill was read and adopted

Senator Armstrong submitted the following report

Mr President:

The Committee on Finance to
which was referred House Bill No 66.

"A Bill entitled An Act to repeal an Act entitled
"An Act to license and regulate the trading on
"navigable streams of this State."

Have considered
the same, and have instructed me, to return
it, with the recommendation that it lie on the table

Respectfully Submitted
Armstrong
for Committee

A motion was made to adopt the report,

the Ayes
and Noes were called for. The call was sustained
when the roll was called, and the report was
adopted

Ayes = 15. Noes = 7

The following Senators voted in the affirmative

Messrs Campbell Haycock Hicks Hower Johnson
Judds Mulkey Purdall Jones Stanford Sullivan
Throner Tipton Tobey and Wilson

In the negative

Messrs Blackwell Bunch Browning
Duffin East Harris ^{W. Kerr}

Absent Messrs Armistead Chas. Ferguson Hampton
Norman Pennington Reagan Williams and Mr President.

The report of the Committee was adopted

On motion of Senator Hicks the rules were suspended
for the purpose of taking up House Bills in their first
reading,

H B 70

House Bill No 70, entitled

"A Bill entitled An Act
to amend sections 135, 136 and 138, of Miller's
Digest of the revenue laws of the of Arkansas."

Was taken up and read the first time, the rules were
suspended and the Bill was read the second time
and referred to the Committee on Expenditures

H B 5

House Bill No 5 entitled

"A Bill to be entitled An Act
to repeal An Act, to amend Section 1357, of Smith's
Digest, approved January 27th 1875, and for other
purposes."

was taken up and read the first time

Senator Johnson moved to postpone this Bill
indefinitely

Senator Duffin called for the ayes & Nays
The call was sustained,

when the roll was called ^{and}
the motion adopted

Ayes = 12 Nays = 7.

The following Senators voted in the affirmative

Messrs Armistead Blackwell Harris Hicks, House
Johnson Judkins Randall Davis Sullivan Williams
and Wilson.

In the negative

Messrs Bunch Browning
Duffin Haycock Mullen Tipton and Tobey

Absent Messrs Campbell Chism East Ferguson
Hampton Kerr Norman Pennington, Norman
Stanford Throner and Mr President

So the Bill was indefinitely postponed.

Senator Armstrong submitted the following report

Mr President:

The Committee on Finance to which
was referred House Bill No 195,

"A Bill to be
enacted An Act regulating the payment of money
by the State Treasurer,"

Have considered the same
and have instructed me to report it with the
recommendation, that it pass.

Respectfully Submitted
Armstrong
for Committee

H. B. 195 House Bill No 195.

Was taken up and being read
the third time, the question was

Shall the Bill pass?

Which was decided in the Affirmative

Ayes = 21 Nays = 1

The following Senators voted in the Affirmative

Messrs Armstrong Blackwell Baucke, Campbell
Crosby Duffie East Ferguson Harris Haycock
Hicks Judds Mulkey Randall Reagan, Sims
Sullivan Throner Tipton Tobing Williams

In the negative

Senator Johnson

Absent, Messrs Chism Hampton Homer Kerr
Norman Pennington Stanford Nelson and
Mr President.

So the Bill passed

The title of the Bill was read and adopted

H. B. 180

Senator East moved to suspend the rules and take up House Bill No 180.

Senator Throner moved to lay the motion on the table and called for the ayes and noes
The call was sustained

When the roll was called
and the motion lost.

Ayes = 7 Noes = 12

The following Senators voted in the affirmative

Misses Blackwell Duffin Hicks Horne Jenkins
Throner Wilson

In the negative

Misses Armstrong
Bunch Campbell Crowley East Harris Haycock
Johnson Mullen Russell Sims Tipton Tobey
and Williams.

Absent. Misses Chism Hampton Kerr Norman
Purvington Reagan Stauffer Sullivan and
Mr President

Excused from voting Senator Ferguson

The question occurring on the motion of Senator East
was put and lost.

And the Senate refused to sus-
pend the rules.

Leave being granted Senator Hicks
submitted the following report

Mr President:

Your Committee on Printing
have had under consideration Senate Resolution
in regard to the cost of printing the Governor's
Message and accompanying documents, and
other matters referred to in said resolution.

By leave to submit, the following papers at-
tached hereto as part of their report.

Hicks
Chairman

State of Arkansas

Executive office

Little Rock Mar 1st 1877

Hon. H. F. Hicks

Chairman Committee on Printing
Sir,

Your inquiry, whether the Board of Commissioners for letting public Contracts have taken any measures to carry out the provisions of an act to regulate the letting of public contracts approved November 28th 1874 is before me.

You are respectfully referred to Governor Garland's Message, page 29, under the head of public Contracts which gives an account of the action of that Board during the past two years.

Since I have been Chairman of the Board, no steps have been taken to carry out the provisions of said act, for the following reasons amongst others; First, the law requires contracts to be made for two years, and all Bills for printing, binding, and stationery, and other contracts provided for in said act, are to be paid in United States currency. The Board could not give contractors any assurance, that the State would have the currency with which to pay them, consequently no person was willing to take a contract until some provision was made by the legislature to secure currency. Second, soon after the meeting of the legislature a bill was introduced into the Senate amending the law referred to, which has since passed that body. The Board thought it useless to give notice for letting contracts at great cost to the State, when the legislature might at any moment, change the law, ~~before~~ the day arrived for the letting, thus necessitating the giving of a new notice.

Very Respectfully

A. R. Mills

Governor

Statement. Showing the amounts paid for printing the messages of the Governor, and the accompanying reports of the State officers, submitted to the General Assembly of the present Session

For printing 2000 copies Governor Garland's Message	396 88
" " 2000 " " Miller's Inaugural	72 10
" " 1000 " Auditors biennial reports	224 40
" " 1000 " Treasurers " "	236 48
" " 1000 Commis State Lands " "	219 00
" " 3000 Atty Generals " "	122 00
" " 500 Deaf Mute Institute " "	116 17
" " 1500 Blind " "	211 30
" " 3000 State Super Public Instruction "	290 50
	\$1878 88

John Crawford
Auditor of State

State Printing

For 500 copies Medium Octavo pages
Type

Plain Small press at \$2.12 1/2 per page	
Plain Pressing at \$3.20 per page	
Figure Pressing at \$3.75 per page	
Rule & Figure Pressing at \$4.27 1/2 per page	
Plain Medium at \$3.62 1/2 per page	
Figure Medium at \$4.37 1/2 per page	
Rule & Figure Medium at \$5.12 1/2 per page	
Plain Nonpareil at \$5.14 1/2 per page	
Figure Nonpareil at \$6.65 1/2 per page	
Rule & Figure Nonpareil at \$8.16 1/2 per page	

For each additional 500 copies of pamphlet or book given before first form be worked, the charge is 79 1/2 cents per page.

All blank pages and covers to be counted.
Same as body work.

Jacob Grolich
Secretary Senate.

Leave being granted Senator Pundall submitted the following resolution

Resolved, by the Senate that the Sergeant-at-Arms be allowed, the sum of two dollars per day, for discharging the duties of post master of the Senate, and the Secretary of the Senate, is directed to certify the same.

On motion of Senator Pundall the resolution was adopted

Senator Campbell submitted the following report:

Mr President:

The committee on Enrolled Bills has examined Senate Bill No 129 and has instructed me to report the same correctly enrolled. Said Bill has been signed by the Speaker of the House, the President of the Senate, and delivered to the Governor for his consideration, this 7th day of March 1877

John Campbell
Chairman

S. B. 169

On motion of Senator Hicks, the rules were suspended and Senate Bill No 169 entitled "An Act to provide for the sale of certain Books by the Secretary of State."

was taken up, and being read the third time, the question was

Shall the Bill pass?

which was decided in the affirmative

Ayes - 19 Nays 0.

The following Senators voted in the affirmative

Messrs Bunch Campbell Crowley Duffie Ferguson
Hampton, Harris Hicks House Judkins Kerr Mulken
Pundall Sims Stanford Sullivan Tobey and
Williams

In the negative none

Absent Messrs Armstrong Blackwell Chism East Haycock
Johnson Norman Punnington Reagan Thronon Tipton
Wilson and Mr President.

So the Bill passed

The title of the Bill was read and adopted

H B 82

On motion of Senator Pindall the rules were suspended
House Bill No 82 entitled: "An act to amend sections
2635, 2636, 2637 and 2642 of Gault's Digest."
was taken up: and being read the third time
the question was

Shall the Bill pass?

Which was decided in the Affirmative

Aprs - 12 Novs - 6

The following Senators voted in the Affirmative

Messrs Bunch Campbell Hauer Kerr Mulkey Rindall
Sims Stanford Sullivan Tipton Williams and
Wilson.

In the negative

Messrs Duffie Ferguson Harris
Hicks Judkins and Mr President

Absent Messrs Armstrong Blackwell Chism Crowley
East, Hampton Haycock Johnson Norman Punnington
Reagan Thronon and Tobey.

So the Bill passed

The title of the Bill was read and adopted

H J M.
6

House Joint Memorial No 6. To the Congress of the
United States, praying the establishing a mail route
from Carr Creek Newton County, to Russellville,
Pope County.

Was taken up, and being read the third
time the question was

Shall the Memorial pass?

which was decided in the affirmative

Ayes = 22 Nays = 2

The following Senators voted in the affirmative

Messrs Armstrong Blackwell Bunch Campbell
Crowley Duffie Ferguson Harris Hicks House
Johnson Judkins Kerr Mulken Rindall Reagan
Sullivan Stanford Tipton Tobey
Williams and Wilson

In the Negative

Messrs Davis and
Mr President.

Absent. Messrs Chasen East Hampton Haycock
Norman Pennington and Storer

So the Memorial passed.

The title of the memorial was read & adopted

H. B. 83

House Bill 83 entitled: "A Bill to be
entitled An Act to change the boundary line
between the counties of Izard and Sharp;

was taken up, and being read the third
time, the question was,

Shall the Bill pass?

which was decided in the affirmative

Ayes = 23 Nays 0

The following Senators voted in the affirmative

Messrs Armstrong Blackwell Bunch Campbell
Crowley Duffie Ferguson Harris Hicks House
Johnson Judkins Kerr Mulken Rindall Reagan
Davis Stanford Sullivan Tipton Williams
Wilson and Mr President

In the Negative none

Absent Messrs Chism East Hampton Haycock Norman
Purvington Throver and Tobey

So the Bill passed.

The title of the Bill was read and adopted.

H. B. 65

House Bill No 65 entitled "An act to pay the costs of
inquisitions in the penitentiary"
Was taken up! and being
read the third time the question was

Shall the Bill pass?

Which was decided in the affirmative

Ayes = 22 Noes = 0

The following Senators voted in the affirmative

Messrs Amosiah Blackwell Burch Campbell
Duffin Ferguson Harris Hicks House Johnson
Judson Kerr Muelken Russell Logan Smith
Stauffer Sullivan Tipton Williams Wilson And
Mr President.

In the negative: none

Absent Messrs Chism Crowley East Hampton Haycock
Norman Purvington Throver & Tobey.

So the Bill passed

The title of the Bill was read and adopted

H. B. 40

House Bill No 40 entitled "An act to amend section
4644 of Gault's Digest"

Was taken up! and being read
the third time the question was

Shall the Bill pass?

Which was decided in the affirmative

Ayes = 19 Nays = 3

The following Senators voted in the affirmative

Messrs Blackwell Burch Campbell ^{Duffin} Harris
Hicks House Johnson Judkins Kerr Mulkey
Reagan Sims Stanford Sullivan Tipton Tobin
Williams and Wilson

In the Negative

Messrs Ferguson
Quidall and Mr President

Absent, Messrs Armstrong Chas Crowder East
Hampton Haycock Norman Remington and
Thornd

So the Bill passed

The title of the Bill was read and adopted

H. B. 116

House Bill No 116 entitled "A Bill to be
entitled An act for the recovery of purchase
money, contracted for property in possession
of the Vendor."

Was taken up! and being read
the third time the question was

Shall the Bill pass?

which was decided in the affirmative

Ayes = 17 Nays = 2

The following Senators voted in the affirmative

Messrs Blackwell Burch Campbell ^{Duffin} Harris
Hicks House Judkins Mulkey Rindall Reagan
Sims Sullivan Tobin Williams Wilson and
Mr President.

In the Negative

Messrs Ferguson and Johnson

Absent, Messrs Armstrong Chas Crowder
East Hampton Haycock Kerr Norman
Remington Stanford Thornd and
Tipton

So the Bill passed

The title of the Bill was read and adopted

Senator Armstrong submitted the following resolution

Resolved,

That at the close of the present session of the General Assembly - the Sergeant-at-Arms of the Senate be required to make an inventory of all the furniture, and other property of the State of Arkansas, now in use by the Senate, and that he turn over the same to the Secretary of State - taking his duplicate receipts therefor. One of these receipts to be filed in the office of the Auditor - and the Auditor is requested to deliver a certified copy of this receipt to the Sergeant-at-Arms, of the next Senate

Armstrong
of Franklin

On motion of Senator Hicks the resolution was adopted

On motion of Senator Hicks,

The Senate took a recess until 7:30. P. M.

After Recess

The hour of 7:30 P. M. having arrived the Senate was called to order by the President

When the roll was called and the following Senators were found to be present

Missrs Blackwell Bunch Campbell Crosby ^{Duffin} Ferguson
Hampton ^{Hughes} Hicks House Johnson Judkins Mudgett Randall
Riagan Truesdell Sullivan Throver Tipton Williams and
Niles. and Mr President.

Absent Messrs Amestrad Chasin ~~Ashton~~
East Kent Norman Remington ~~Roswell~~ Stanford
Tobey

A Quorum present

On motion of Senator Bunch, the Senate went into Executive Session.

And the galleries were

Cleared by the Sergeant-at-Arms, and the doors were closed

On motion of Senator Prindall the Senate consented to, and approved the appointment by the Governor, of Sd P. O. Hoopes Dr. R. G. Jennings, Sd Thos R. Welch, and Hon. J. P. Hughes, as trustees, of the Arkansas State Lunatic Asylum.

On motion of Senator Prindall the regular order of business was resumed.

Senator Williams submitted the following report.

Mr President:

The Committee on Expenditures to which was referred House Bill No 40 have had the same under consideration and recommend its passage, with the following amendment. In the 6th line Section one strike out the word "Circuit"

Williams of Polask
for Committee

On motion the amendment was adopted and the Bill made the special order for to-morrow at ten o'clock Senator Bunch was called to the Chair

H. B 55 House Bill No 55 entitled

An act to amend sections 443 = 4 = 5 = 6 and 7 of Bault's Digest.

was taken up and being read the third time the question was,

Shall the Bill pass?

which was decided in the affirmative

Ayes = 21 Nays 0

The following Senators voted in the affirmative

Messrs Blackwell Bunch Campbell Crowley Ferguson
Hampton Harris Haycock Hicks House Johnson Judkins
Muller Rindall Sims Alderman Throver Tipton
Toben Williams and Wilson

In the negative none

Absent, Messrs Armstrong Chason Duffin East Kerr
Norman Reagan Stanford, and Mr. President.

So the Bill passed.

The title of the Bill was read and adopted

H. B 94 House Bill No 94 entitled, An act regarding the attorney General to record his opinion in certain cases.

Was taken up; and being read the third time the question was

Shall the Bill pass?

which was decided in the affirmative

Ayes = 19 Nays = 0

The following Senators voted in the affirmative

Messrs Blackwell Burch Campbell Cronky
Duffin Ferguson Hampton Harris Haycock
Hicks Howe Johnson Juddins Mulken Sims
Cullbran Dipton Williams and Wilson

In the negative, none

Absent Messrs Armstrong Chism East Kent
Norman Pennington Russell Reagan Stanford
Thomson Tobey and Mr President.

So the Bill passed.

The title of the Bill was read and adopted

A message was received from the House
of Representatives, as follows:

Hall House Representatives
March 7th 1877

Mr President:

I am instructed by the House
of Representatives, to inform your honorable body
of the passage by the House of Senate Bill
No 118 entitled "A Bill for an Act to be entitled
An Act, to define and change the boundary line
between the counties of Clark and Pike."

Also of the
passage by the House of Senate Bill No 167
entitled "An Act to appropriate money to pay
for work and additional buildings and walls of
the penitentiary."

Also of the passage of
Senate No 162 entitled "An Act to change
the time of holding the Circuit Court in
Dallas County."

Also of the passage of
Senate Bill No 275 entitled, "A Bill to be entitled
An Act to make valid Jurors certificates"

And herewith
respectfully return the same for your honorable
consideration

Thos W. Newton
Clerk

S. B. 118

S. B. 167

S. B. 162

S. B. 275

On motion of Senator Pundall the several resolutions and motions relative to adjournment were made special order for thirty minutes after the reading of the Journal to-morrow morning.

House Bill No 446

Was taken up and read the second time, and referred to the Committee on Judiciary

At 8 O'clock, on motion of Senator Hicks the Senate took a recess for thirty minutes

After Recess

At 8:30 P. M. the Senate was called to order by the President

S. B. 120 Senate Bill No 120 entitled "A Bill for an act to be entitled an act, to regulate the practice as to bills of exceptions"

Was taken up: and being read the third time, the question was

Shall the Bill pass?

Which was decided in the affirmative

Ayes = 17 Nays = 0

The following Senators voted in the affirmative

Messrs Blackwell Bunck Campbell Duffer Harris Hoycock Hicks House Johnsons Mulliken Pundall Oms Sullivan Tipton Tobey Williams and Wilson.

In the negative none

Absent Messrs Amusement Chas. Crowley East Ferguson Hampton Johnson Kent Norman Remington Reagan Stanford Throver and Mr President

So the Bill passed

The title of the Bill was read and adopted

On motion of Senator Williams the Senate took a recess till 9 O'clock P. M.

After Recess

At 9 O'clock P. M. the Senate was called to order and on motion took a recess till 9:30 P. M.

After Recess

At 9:30 P. M. the Senate was called to order and on motion took a recess for ten minutes.

After recess

At 9:40 P. M. the Senate was called to order
A quorum present

A message was received from the House of Representatives as follows:

Hall House Representatives
March 7th 1877

Mr President:

I am instructed by the House of Representatives to inform your honorable body of the rejection by the House of Senate Bill No 32 entitled "An Act for the relief of J. J. Griffin & Sons."

S. B. 32 And of the passage of Senate Bill No 130 entitled "A Bill to be entitled An Act to change the lines, separating the two Judicial districts of Uppl County"

S. B. 105 Also of the passage of Senate Bill No 105 entitled "A Bill to be entitled An Act for the relief of Joseph Coesant"

S. B. 54 And of the passage of Substitute for Senate Bill No 54 entitled "An Act regulating mortgages on personal property"

And I must respectfully return the same

Thos H. Norton
Clerk

On motion of Senator Hicks the Senate adjourned till 9 O'clock to-morrow morning
Approved

Jacob F. Smith
Secretary

James H. Jones
President

Senate Chamber
 Little Rock Ark
 Thursday March 8th 1877

The Senate met pursuant to adjournment at 9 O'clock A. M. and was called to order by Hon. J. H. Jones President.

The roll was called and the following Senators were found to be present.

Misses Armistead Blackwell Beach Campbell
 Crowley Ferguson Hampton Harris Hicks Horner Judkins
 Kerr Mullin Norman, Pendall Sims ~~Williamson~~ Throckm
 Tipton Tolson Williams Wilson and Mr President.

Absent, Misses Chism Duffin East Haycock Johnson
 Pennington Reagan and Stanford

A quorum present.

Prayer by Rev. S. H. Buchanan, Chaplain.

The Journal of the preceding day was read, approved and signed by the President and Secretary.

On motion of Senator Kerr, Senator Chism was excused for the day, on account of illness.

Senator East answered to his name.

Senator Campbell submitted the following report

Mr President:

The Committee on Enrolled Bills, have examined Senate Bills Nos 48, 45, 118, and 162 and have directed me to report, each one correctly enrolled and said Bills have been signed by the Speaker of the House, the President of the Senate, and delivered to the Governor for his consideration, this 8th day of March 1877.

John Campbell
 Chairman

H B 57 House Bill No. 57 entitled "An Act to provide for the support and maintenance of the Arkansas Institute for the Education of the Blind."

was taken up: and being read the third time the question was.

Shall the Bill pass?

Which was decided in the affirmative.

Roll called. Ayes = 19 Nays = 0

The following Senators voted in the affirmative

Messrs. Bauch, Givley Duffie East Hampton
Hampton Harris Haycocks Hicks, House, Mulken
Norman Pridall Sims Stanford Sullivan
Tipton Tobey Williams Wilson and Mr President.

In the negative none.

Absent, Messrs. Armstrong Blackwell Campbell
Chism Ferguson Johnson Juddins West
Remington Reagan and Throver.

So the Bill passed

The title of the Bill was read and adopted

Senator Hicks was called to the Chair

Mr. President was granted leave of absence
for a few hours

Senator Bauch submitted the following
resolution

Resolved, by the Senate of the
State of Arkansas,

That the thanks of the
members of this body, are due and are hereby
tendered, to Hon J. H. Jones, President, of the
Senate, for the prompt, impartial and efficient
manner, in which he has presided over the
deliberations of this body, during the present
Session.

Bauch

On motion of Senator Bauch, the resolution
was adopted

Senator House submitted the following resolution

Resolved, That we the members of the Senate, return our thanks to the Sergeant-at-Arms, the Doorkeeper, the pages and Janitor, for the prompt and faithful manner in which they have discharged their respective duties

House - of which

On motion of Senator Menden the resolution was adopted

Senator Bunch submitted the following resolution

Resolved, by the Senate of the State of Arkansas, that the thanks of this body, are due and are hereby tendered Jacob Frolich, C. H. Wood, Jesse L. Cravins, and H. B. Flippin Secretaries, for the faithful and efficient manner in which they have discharged their respective duties, also, to Rev. J. H. Buchanan, Chaplain, for the faithful performance of his duties as such.

Bunch.

On motion of Senator Bunch the resolution was adopted

Leave being granted, Senator Irwin submitted the following report.

Mr President:

Your Committee on Federal Relations to whom was referred the resolution of the Senator of Paper, have had the same under consideration and directed me to report, that in the opinion of your Committee, that inasmuch as the Senator from Paper, made his report to the last Senate, and his report adopted by the Senate, and there being no evidence or circumstances to believe that this committee, did not discharge the duties imposed upon them faithfully and honestly - the committee asked for by the resolution, is not necessary. That newspaper criticism of the acts of public men without specific charges, do not demand investigation

J. H. Irwin
Chairman

On motion the resolution was adopted.

H. B. 191

House Bill No 191 entitled

"An act to provide for the support and maintenance of the Deaf Mute Institute."

Was taken up: and being read the third time, the question was

Shall the Bill pass?

Which was decided in the affirmative

Ayes = 21 Nays = 2

The following Senators voted in the affirmative

Messrs Burch Campbell Crowley Dapper East
Hampton Harris Haycock Hicks Houser Judkins
Kerr Mulkey Norman Pridall Triss Stanford
Sullivan Tipton, Williams and Wilson

In the negative, Messrs Blackwell & Tobey,

Absent. Messrs. Chisum Ferguson Johnson Cunningham
Reagan Throwing and Mr President.

So the Bill passed

The title of the Bill was read and adopted

H. B. 193

House Bill No 193 "a Bill entitled" An act
making appropriations for the benefit of the
Arkansas Industrial University and for other purposes"Was taken up: and being read the third time
the question was

Shall the Bill pass?

Which was decided in the affirmative

Ayes = 15 Nays = 7

The following Senators voted in the affirmative

Misses Amistad East, Hampton Harris Haycock House
Jenkins Kerz Mulkey Pindall Sims Stanford Tobey
Williams and Wilson.

In the negative

Misses Blackwell Ferguson Hicks Norman
Sullivan and Tipton and Campbell

Absent, Messrs, Chism Crowley Duffin Johnson Remington
Reagan Throncy and Mr President

So the Bill passed.

The title of the Bill was read and adapted,

H. B 70

House Bill No 70 entitled, A Bill entitled An Act to
amend sections 135, 136, and 138 of Miller Digest of
the Revised Laws of the State of Arkansas,

Was taken up; and being read the third time, as
amended, the question was:

Shall the Bill pass?

Which was decided in the Affirmative

Ayes: 22 Nays 0

The following Senators voted in the affirmative

Misses Blackwell Bunet Campbell Duffin East
Ferguson Hampton Harris Haycock Hicks House
Jenkins Kerz Mulkey Norman Pindall Sims Stanford
Sullivan Tobey Williams and Wilson

In the negative none

Absent Messrs Chism Crowley Johnson Remington
Reagan Throncy and Tipton and Mr President

Excused from voting Senator Amistad

So the Bill passed

The title of the Bill was read and adapted

Senator Kerr submitted the following resolution

Resolved, That the thanks and good wishes of the Senate, are hereby tendered to the representatives of the press, who have attended the sessions and reported the proceedings of the Senate.

On motion of Senator Kerr the resolution was adopted

A message was received from the Governor as follows.

State of Arkansas
Executive Office

Little Rock May 8th 1877

To the President of the Senate

My President:

I have approved and signed the following Bills

Senate Bill No 129. An act to authorize and direct the Commissioners of State Lands to sell the property known as the "Arkansas Institute for the Blind"

Situated in the City of Arkadelphia
Clark County Arkansas.

House Substitute for Senate Bill No 155.

"An act to alter the Fifth Seventh and Eighth Judicial Circuits of the State of Arkansas And to create the Tenth Judicial Circuit. And to fix the time for holding Courts in the Counties composing said Circuits."

Senate Bill No 162

An act to change the time of holding the Circuit Court in Dallas County."

Senate Bill No 48.

An act to provide for paying balance due for erecting the Arkansas Industrial University building."

Senate Bill No 118.

An act to define and change the boundary line between the Counties of Clark and Pike."

Senate Bill No 75

"An Act to make valid Jurors certificates"

Senate Bill No 167,

"An Act to appropriate money to pay for work for additional buildings and walls of penitentiary"

H. R. Miller
Governor.

House Concurrent Resolution No. 10. In reference to adjournment

was taken up; and being read the third time, the question was

Shall the Senate Concur?

Which was decided in the negative

Ayes = 10, Nays = 15

The following Senators voted in the affirmative

Misses Campbell Saffi East Hicks House Kerr, Pendall
Sullivan Strong and Mr President.

In the negative

Misses Armstrong Blackwell Benich Crowley Hampton
Harris Haycock, Judkins Mulkey Norman Sims Stanford
Tipton Tobey and Williams

Absent, Misses Chism Ferguson Johnson Pennington
Reagan and Wilson

So the Senate refused to Concur

A message was received from the House of Representatives
as follows:

Hall House Representatives
March 8th 1877

Mr. President:

I am instructed by the House of Representatives to inform your honorable body, that the House has reconsidered its former action in rejecting, Senate Bill No 32 entitled

"An act for the relief of J. J. Griffin & Sons,"
and has passed the same.

Also of the passage
by the House of

Senate Bill No 128, entitled
"A Bill for An act entitled An act to fill the
vacancy now existing in the Board of Railroad
Commissioners of this State"

Also of the passage of
Senate Bill No 110

"An act to authorize the
County Court, or Judge thereof, in vacation to
direct the employment of a guard for jail,
in certain cases, and to repeal Section 3576
of Gault's Digest"

Also of the passage of
Senate Bill No 8.

"A Bill to be entitled, An act
to amend An act entitled"

"An to regulate the letting
of public Contracts" Approved November 28th 1874.

And herewith respectfully return the same

Thos. H. Newton
Clerk

Senator Williams submitted the following resolution

Whereas, H. B. Fleppin was elected Enrolling Clerk
of the Senate, and the duties of Enrolling
Clerk have been imposed upon him and the
Office of Enrolling Clerk was dispensed with
under the understanding that he was at
liberty to employ additional Clerks, during
the last days of the Session, and

Whereas, During the
entire session said Enrolling Clerk, has employed
an Assistant, at his own expense, therefore

Resolved
That said H. B. Fleppin be allowed, ten days
service for his said assistant, at the rate of
six dollars per day

Williams
of Pulaski

Senator Williams moved to adopt the resolution

Senator Jones moved that the resolution be laid on the table.

The motion was put and lost.

And the Senate refused to table the resolution.

On motion of Senator Kerr the further consideration of the resolution was postponed for the present.

at Twelve O'clock P.M.
The President announced the special order for the hour.
The election of a President of the Senate.

Senator Williams nominated Hon. J. R. Hampton

Senator Thomas nominated Hon. Mr. Mr. Duffin

Senator Sims nominated Hon. J. B. Judkins

The Senate proceeded to the first ballot.

The roll was called, and the following Senators voted for J. R. Hampton

Misses Armstrong Blackwell Bunch
Duffin Harris Hicks Norman Williams W. Wilson = 9

The following Senators voted for Mr. Mr. Duffin

Misses Haycock Judkins Munking Stanford John,
and Thomas = 6

The following Senators voted for J. B. Judkins

Misses Campbell Crowley East House Kerr Pinckall
Sims Sullivan and Tipton = 9

No one having received a majority there was no election
And the Senate proceeded to the second ballot

The following Senators voted for J. R. Hampton

Misses Armstrong Blackwell Bunch Ferguson Harris
Norman Williams and Wilson = 8

the following Senators voted for Mr. M. Duffin

Messrs. East Haycock Hicks Judkins Mullen Stanford
and Tobey = 7

The following Senators voted for J. B. Judkins

Messrs. Campbell Crowley Duffin House Kerr Prudall
Sims Sullivan Tipton and Thronby = 10

There being no election the Senate proceeded to
the third ballot.

When the following
Senators voted for J. R. Hampton

Messrs. Blackwell Bunch Duffin Ferguson
Harris Norman Williams and Wilson = 8

Voting for Mr. M. Duffin were

Messrs. East Haycock Hicks Judkins Mullen
Stanford and Thronby = 7

Voting for J. B. Judkins were

Messrs. Omstedt Campbell Crowley House Kerr
Prudall Sims Sullivan Tipton and Tobey

No one having received a majority, there was
no election

Senator Thronby withdrew the name of Senator Duffin
when the Senate proceeded to the fourth ballot.

The following Senators voted for J. R. Hampton

Messrs. Blackwell Bunch Ferguson Harris
Haycock Judkins Norman Stanford Williams
and Wilson = 10.

Voting for J. B. Judkins were

Messrs. Omstedt Campbell Crowley East Hicks
House Kerr Mullen Prudall Sims Sullivan
Tipton Tobey and Thronby = 14

Excused from voting Messrs Duffei and Mr. President.

Hon. J. B. Jenkins having received a majority of all the votes cast, was by the President, declared duly and legally elected, President of the Senate, as

Senator Jenkins was then duly qualified by taking the oath, prescribed by law, administered by Honorable David Walker, Associate Justice of the Supreme Court

Senator Campbell submitted the following report.

The Committee on Enrolled Bills, have examined Senate Bills Nos 130, 105 and 164 and have instructed me to report Bill, correctly enrolled. Said Bills have been signed by the Speaker of the House, the President of the Senate, and delivered to the Governor, for his consideration; this 8th day of March 1877

John Campbell
Chairman

Senator Prindall submitted, Senate Concurrent resolution No 20, "Relation to adjournment."

The resolution was read by the Secretary.

Senator Haycock moved to amend the resolution by striking out "ten" and inserting "five" The motion was put and lost. And the Senate refused to amend.

On motion of Senator Prindall the resolution was adopted.

On motion of Senator Kerr, the Senate took a recess until 2:30 P. M.

After Recess

The hour of 2:30 P. M. Having arrived, the Senate was called to order by Hon. J. H. Jones President.

The roll was called and the following Senators were found to be present.

Messrs Blackwell Bunick Crowley Duffie Hampton Harris Hicks House Judkins Kerr Mulkey Purdum Thomas Tobey Williams Wilson and Mr President.

Absent, Amundson Campbell Chism East Ferguson Haycock Johnson Norman Runnerton Reagan Sims Staupford Sullivan and Tipton

A quorum present.

A message was received from the House of Representatives as follows:

Mr President:

I am instructed by the House of Representatives to inform your honorable body, of the rejection by the House of Senate Bill No 121 entitled

"A Bill for an act entitled, "An Act to provide for a general and uniform system of taxation of Railroads within this State"

and herewith, ~~and herewith~~ respectfully return the same. Also, of the concurrence by the House in Senate amendments to House Bill No 200, entitled

"A Bill for an act to amend Section 4998, Chapter 112 of Smith's Digest," also of the passage of Senate Bill No 169, entitled

"An act to provide for the sale of certain books by the Secretary of State."

And of the concurrence in Senate amendments to House Bill No 70

"A Bill entitled An act to amend sections 135, 136, and 138, of Miller's Digest of the Revenue laws of the State of Arkansas,"

and herewith respectfully transmit the same for your favorable consideration

Thos. H. Newton

S.C.R. 20

On motion of Senator Pindall the Senate reconsidered the vote by which Senate Concurrent Resolution No 20, was adopted

S.C.R. 21

Senator Pindall Submitted Senate Concurrent Resolution No 21, "Relative to adjournment."

On motion of Senator Pindall the resolution was adopted.

Senator Pindall Submitted the following report.

Mr President:

Your Committee on the Judiciary to whom was referred House Bill No 55, have had the same under consideration, and a majority of the Committee directed me to report the same back, with the recommendation, that it do not pass.

Pindall
Chairman

On motion of Senator Pindall the report was adopted

Senator Pindall submitted the following report.

Mr President:

The Committee on Judiciary to whom was referred Senate Concurrent Resolution No 17, "Referring to adjournment of the General Assembly." have instructed me to return it, with the recommendation that it be indefinitely postponed."

Respectfully Submitted
L. J. Pindall
Chairman

On motion the report was adopted

Senator Williams Submitted the following report

Mr President:

The Committee on Judiciary, to which was referred the question as to who should preside over the Senate, after the election of another President, as directed in Section 18, Article 5 of the Constitution, have had the same under consideration, and a majority of the Committee have instructed me to report, that the true intent and meaning of said provision, is to provide another president, who shall hold ~~only~~ only for the

purpose, of preventing an interregnum in the office of Governor, between the election and meeting of the Legislature, this being rendered necessary by the provisions of the Constitution, which makes the office of a member of the General Assembly expire at the election of his successor.

It is ~~the~~ the opinion, of a majority of the Committee that the Hon. J. K. Jones, was elected President of the Senate, the Constitution did not intend to shorten his term of office, by the election of another President. And that the other, or additional President is elected for the purposes presented in the last clause of the said section.

Williams of Rutland
for Committee

Senators Samuel Crowley and Huser, do not concur in this report

Senators Johnson Judkins
and Norman were absent.

Senator Hampton moved to adopt the report and called for the Ayes and Nays.

The roll was called and the report was adopted

Ayes = 11 Nays = 6

The following Senators voted in the Affirmation

Messrs Blackwell Saffin Hampton Harris Minkley
Sullivan Thorneley Tobey Williams Wilson & Armstrong

In the Negative

Messrs Benet Ferguson
Hicks Huser Kory & Pinball

Absent, Messrs Campbell Chas. Crowley East Hoycock
Johnson Judkins Norman Pennington Reagan Sims
Stanford Tipton and Mr President.

On motion of Senator Pinball the Secretary was directed to request the return, from the House of Representatives, House Bill No 5

Senator Hicks, Chairman of the Committee on Printing returned Senate Bill No 109 to the Senate.

On motion of Senator Shroyer, the Senate took a recess until 9:00 Clock P. M.

After Recess

The hour of 9:00 P. M. having arrived the Senate was called to order by Hon. J. H. Jones President.

The roll was called and the following Senators were found to be present

Misses Armistead Bunch Campbell Crowley Suffer Harris
Houser Judkins Muckey Sullivan Williams Wilson and
Mr President

Absent, Messrs. Blackwell Chism East Ferguson
Haupton Haycock Hicks Johnson Kerr Norman Pen-
nington Pridall Reagan Sims Stauffer Throver Sipton
W. Tobey.

No quorum present.

The sergeant-at-arms - was directed to bring in absentees

On motion of Senator Bunch the Senate took a recess till 9:30 P. M.

After Recess

The hour of 9:30 having arrived the Senate was called to order by Hon. J. H. Jones President

The roll was called and the following Senators answered to their names

Misses Blackwell Bunch Campbell Crowley Suffer
East Ferguson Harris Houser Judkins Muckey Pridall
Sullivan Williams Wilson and Mr President.

Absent, Armistead Chism Haupton Haycock
Hicks Johnson Kerr Norman Pennington Reagan
Sims Stauffer Throver Sipton and Tobey

~~The~~ Governor present

The Sergeant-at-Arms was directed to bring in absentees

Senator Campbell submitted the following report.

Mr President:

The Committee on Enrolled Bills have examined Senate Bill No 8 and instructed me to report the same correctly enrolled. Said Bill has been signed by the Speaker of the House — the President of the Senate and delivered to the Governor for his consideration this 8th day of March 1877

John Campbell
Chairman

Senator Campbell submitted the following report

Mr. President:

The Committee on Enrolled Bills have examined the following Senate Bills and find them correctly enrolled, to wit:
No 32 "An act for the relief of J. T. Grippie & Son"
No 128 "An act to fill the vacancy now existing in the Board of Railroad Commissioners"
No 113 "An act to authorize the County Court or Judge thereof in vacation to direct the employment of a guard for jail in certain cases."
No 57 "An act regulating mortgages on personal property.

No 169 "An act to provide for the sale of certain books by the Secretary of State"

All of said Bills have been signed by the Speaker of the House, the President of the Senate and delivered to the Governor for his consideration this 8th day of March 1877

John Campbell
Chairman

Senator Pridell submitted the following resolution

Whereas, No concurrent resolution to adjourn the General Assembly has been passed and

Whereas, information has been unofficially received that the House has adjourned and

Whereas, the session of the General Assembly, will expire by limitation at 12 O'clock to-night,

Be it resolved,
that the Senate do not adjourn.

at 10:35 P.M. On motion of Senator Pridell the
resolution was adopted
approved

Jacob P. Welch
Secretary

James H. Jones
President.